DEPARTMENT OF RELIGIOUS STUDIES
117 SEARS HALL
UNIVERSITY OF THE PACIFIC
STOCKTON, CALIFORNIA 95204

A DIGEST

OF

METHODIST LAW:

OR,

HELPS IN THE ADMINISTRATION

OF THE

Discipline of the Methodist Episcopal Church

BY

BISHOP S. M. MERRILL, LL. D.,

AUTHOR OF "ASPECTS OF CHRISTIAN EXPERIENCE," "NEW TESTAMENT IDEA OF HELL," ETC.

Revised since the General Conference of 1900.

CINCINNATI:
JENNINGS & PYE.
NEW YORK:
EATON & MAINS.

Copyright by
CRANSTON & STOWE,
1885.

PREFACE.

THIS treatise is written and sent out with the hope that it will prove helpful to all who are charged with the duty of administering the Discipline of the Church, and especially the younger pastors.

It is not an exhaustive discussion of any of the topics considered, and yet the aim has been to make it sufficiently full and suggestive to meet the ordinary needs of the administrator. It is simply what its title imports, a "Digest" of the rules and usages which make up the body of "Methodist law." It indulges in no speculations on the polity of the Church, and seeks neither to criticise nor to vindicate the system of government it finds in existence, but accepts it as wise and just, aiming to present correct views of its spirit and purposes.

It has been thought best not to encumber the work with authorities. It, therefore, contains no quotations except from the Discipline,

unless it be one from the General Conference Journal. The authority for nearly all the positions it takes might be found in the Journals of the General Conferences, and in the decisions of the bishops scattered through the Minutes of the Annual Conferences, but the labor of transferring the language to these pages has been omitted. The reader, who desires the verification, can profitably employ himself in searching them out.

No effort has been made to give the volume the character of a treatise on ecclesiastical law, or to supersede works already before the Church on that subject; and yet its purpose could not be accomplished without some statements of principles which belong to such a discussion. This has been done in the briefest possible manner, leaving all who would thoroughly investigate questions of jurisdiction, precedents, testimony, and the necessary correspondences and contrasts between Church and State jurisprudence, to consult Henry and Harris, and such other works as may be available.

Many will be disappointed in not finding

some particular question in which they have been interested, formally stated and answered. Hundreds of questions arise in administration which can not be anticipated in a work of this kind. They grow out of local circumstances of a mixed character requiring the application of principles set forth in different parts of the treatise, which must be compared and blended in the solution of the problem presented. With a little study of the suggestions here given, many of the questions which present themselves in the ordinary course of administration will be found to be answered.

It has been thought advisable to divide the work into two parts. The department of official work which is non-judicial is the first to require attention, as it concerns all workers in the Church, ministers, and laymen at all times, and in all the conditions of the Church's life. It is, therefore, made the First Part of this volume. Judicial administration is not less important, but its necessity arises from conditions not desired. The topics belonging to that subject are grouped into a separate class, making the Second Part of this treatise,

and, while concisely presented, it is thought the discussion is sufficiently full to meet the necessities of the case.

The volume is given to the Church in the confident expectation that it will prove useful to ministers and official members, and instructive to all, whether of our communion or not, who may desire acquaintance with the rules and usages of our Church, or to know her methods of carrying forward the work in which she is engaged. S. M. M.

CHICAGO, *July*. 1885.

CONTENTS.

PART FIRST.

NON-JUDICIAL ADMINISTRATION.

CHAPTER I.

PAGE.

CONFERENCES, ... 11

General Conference, ... 12
Constitution of, ... 13–15
Work of, ... 15
Annual Conferences, ... 16, 17
Not Delegated, ... 17
Jurisdiction of, ... 18
Quarterly Conferences, ... 20
Business of, ... 21, 22
Complaints in, ... 22, 23
Adjournment of, ... 24
Judicial Duties, ... 25
District Conferences, ... 26
Powers of, ... 27
President of, ... 28
How Dissolved, ... 29

CHAPTER II.

MEMBERSHIP, ... 31

Receiving Probationers, Children, ... 33
Other Applicants, ... 35
Form of Application, ... 37
Term of Probation, ... 38

PAGE.
Admitting to Membership, ... 38
Conversion Required, ... 39
Form to be used, ... 40
Receiving Letters, ... 41
Letters Limited, ... 43
Receiving from other Churches, ... 44
Formality Required, ... 45
Giving Letters, ... 46
Dismissals to other Churches, ... 47
Withdrawals, ... 48
Certificates not given, ... 49
Withdrawing Withdrawals, ... 50

CHAPTER III.

THE MINISTRY, ... 52

Preachers-in-charge, ... 52
Special Duties, ... 53–57
Presiding Elder, the, ... 58
His District, ... 60
Absence of a Bishop, ... 61
Decisions of Law, ... 62
Judicial Authority, ... 63
The Bishops, ... 65
Temporary Assignments, ... 65
Questions of Law, ... 66
Making Appointments, ... 67
Limitation of Time, ... 68
Transfers, ... 69
Supervising Foreign Missions, ... 70
Presidency of Judicial Conferences, . . . 70
Presiding in General Conference, . . . 71, 72

CHAPTER IV.

LICENSES AND ORDINATIONS, ... 74

Exhorters, ... 74
Local Preachers, ... 76

PAGE.
Local Deacons, ... 77
Local Elders, ... 78
Local Preacher on Trial, ... 79
Amenability, ... 81
Traveling Preachers, ... 82
Traveling Deacons, ... 83
Shortening the Time, ... 84
Receiving into Full Connection, . . . 85
Answering the Questions, ... 86
Receiving from other Churches, ... 88
Credentials, ... 93
Restoring Parchments, ... 94

CHAPTER V.

BOARDS AND COMMITTEES, ... 96

Leaders and Stewards' Meeting, ... 96
Limited to Leaders and Stewards, . . . 97
The Stewards, ... 100
Preacher's Right to nominate, ... 100
Women may serve, ... 101
Duties of Stewards, ... 101, 102
Qualifications, ... 102
Recording Stewards, ... 103
District Stewards, ... 103
Trustees, ... 104
Secular Duties, ... 104
Act as a Board, ... 105
Should be Organized, ... 106
Control Church Property, ... 106
Amenable to Quarterly Conference, . . . 107
Removal of, ... 109
Official Board, ... 110
Not fully Established, ... 112
Sunday-school Boards, ... 113
Not optional to have Board, ... 116

PAGE.
Sunday-school Literature, ... 117
Standing Committees, ... 119
Chairman's Duty, ... 120

CHAPTER VI.

RITUALISTIC, ... 122
Public Worship, ... 122
Order of Services, ... 123
Singing—Choirs, ... 124
Lord's Prayer, ... 125
Apostolic Benedictions, ... 127
Baptism, ... 128
Subjects of, ... 129
Mode, ... 130
Re-baptisms, ... 132
The Lord's-supper, ... 134
Form of Administration, ... 135
Who Admitted, ... 136
Probationers, ... 137
Relative Order, ... 137
Unfermented Wine, ... 139
Marriages, ... 140
Unordained Preachers, ... 141
Burying the Dead, ... 142
Liturgies, ... 142

PART SECOND.

JUDICIAL ADMINISTRATION.

CHAPTER I.

PAGE.
THE ADMINISTRATOR, ... 147
His Qualifications, ... 150
Design of Church Trials, ... 151
Method of Church Trials, ... 152
Law not for Exceptional Cases, ... 153
Entertaining Charges, ... 156
Making Charges, ... 157
Appointing Committee, ... 159
Making the Record, ... 160

CHAPTER II.

ACTIONABLE CASES, ... 163
Persistent Imprudence, ... 163
Neglecting the Means of Grace, ... 165
Immoral Conduct, ... 166
Sowing Dissensions, ... 167
Disseminating False Doctrines, ... 168
Fraudulent Dealings, ... 170
Arbitrations, ... 171
Mal-administration, ... 172
Abandoning Work, ... 174
Penalties, ... 176
Reprimand, ... 177

CHAPTER III.

TESTIMONY, ... 180
Rules in Secular Courts, ... 181
Legal Testimony not Required, ... 183

PAGE.
Liberality Recommended, ... 184
Irrelevant, not Admissible, ... 185
Testimony to be Weighed, ... 186
Ex-parte, sometimes Admitted, ... 187
Depositions to be Formal, ... 188
Outside Witnesses Competent, ... 189
Testimony by Correspondence, ... 190
Testimony by Unbelievers, ... 191
Witnesses convicted of Crime, ... 192
Interested Parties, ... 193
Credibility of Witnesses, ... 194
Impeachment of Witnesses, ... 196

CHAPTER IV.

PRELIMINARY INVESTIGATIONS, ... 197

Alleged Imprudence, ... 197
Local Preachers, ... 198
Traveling Preachers, ... 200
Not on Rumor without Charges, ... 201
Right to Challenge, ... 202
Not required at Conference if Charges exist, 203
Not admissible on Merits of the Case, ... 205
Complaints against Presiding Elders, ... 207
Three Seniors may present Charges, ... 208
Against Bishops, ... 209
First Proceeding Informal, ... 210
Supernumeraries and Superannuates, ... 212

CHAPTER V.

CHURCH TRIALS, ... 213

General Principles, ... 213
Analogy not Complete, ... 214
Not Twice in Jeopardy, ... 215

PAGE.
Burden of Proof, ... 216
The Church is Plaintiff, ... 217
Statute of Limitation, ... 217
Trial of Members, ... 218
Order of Proceedings, ... 221
Preacher's Discretion, ... 222
Examination of Witnesses, ... 223
Trial of Local Preachers, ... 224
Should be made Special Order, ... 225
Conference determines Grade of Offense, 227
Trial of Traveling Preachers, ... 227
Three Methods, ... 228
Conference selects Method, ... 229
Challenges must be in Conference, . . . 230
Order of Trial, ... 231
Action of Select Number Final, ... 232
Trial of a Bishop, ... 233
A Special Judicial Conference, ... 234

CHAPTER VI.

APPEALS, ... 237

Constitutional Right, ... 237
Forfeiting Right to Appeal, ... 238
Appeal of Members, ... 239
Quarterly Conference must hear, ... 241
Attitude of Appellant, ... 243
Appeal of Local Preachers, ... 243
Method of Hearing, ... 244
Appeal of Preachers on Trial, ... 244
Appeal of Traveling Preachers, ... 246
Judicial Conferences, ... 246
General Conference reviews Rulings, ... 247
Appealable Cases, ... 249
Proceeding in Judicial Conferences, ... 254

PAGE.
Deciding in Detail, ... 256
Fixing Grade of Offense, ... 258
Appeal of Bishops, ... 259

APPENDIX.

NOTES, ... 261
FORMS, ... 280

Part First.

NON-JUDICIAL ADMINISTRATION.

NON-JUDICIAL ADMINISTRATION.

Chapter I.

CONFERENCES.

THE term Conference has been familiar in Methodist usage from the beginning. It was first employed with reference to the meetings which Mr. Wesley held with his assistants and helpers in preaching the Gospel. In these meetings or Conferences, Mr. Wesley propounded questions, and after hearing the opinions of those present, the answers agreed upon were entered upon record—generally in the language of Mr. Wesley himself, as his decision was the ultimate authority in the case.

The first Conferences in this country included all the preachers in the connection, and were held for consultation upon the best methods of pushing the evangelizing work in their hands. The Christmas Conference in Baltimore, A. D. 1784, organized the Methodist

Episcopal Church, and established the essentials of the polity which has distinguished Methodism from that time till the present. Annual Conferences have increased in numbers as the work has enlarged, and as the geographical and other necessities have required. The General Conference has always remained the only legislative body in the denomination—the only body empowered to make rules and regulations for the Church.

In 1808 it became apparent that it would not be longer practicable to gather all the traveling elders in the country into the General Conferences, and a constitution was framed and adopted providing for a delegated General Conference. That constitution remains in all essential parts, and is now the organic law under which our General Conference convenes and does its work.

THE GENERAL CONFERENCE.

The Constitution of the General Conference is found in Part II, chapter i, of the Discipline, including ¶¶ 58–68. This Constitution, which was originally adopted by the whole body of the eldership, assembled without limitation of powers, and has since been amended under its own provision for amend-

ment, determines authoritatively the composition of the General Conference, the numbers and qualifications of delegates, ministerial and lay, the methods of their selection, the time of the meeting, the necessary quorum, the presidency, the powers of the body when in session, and also the limitations of its powers. All these points are embraced in the Constitution, and are not liable to change except by what is known as the "constitutional process," provided for in the last article of the Constitution, ¶ 68. This process requires the concurrent vote of two-thirds of the General Conference, and three-fourths of all the members of the several Annual Conferences. It is a conservative provision, and yet sufficiently flexible for the organic law of a legislative body, charged with the responsibilities and exercising the powers of the General Conference of the Methodist Episcopal Church.

Strangely enough the question has arisen as to whether the whole of this section is properly regarded as "Constitution." Some have thought that only that part of it which contains the restrictions on the powers of the General Conference is to be treated as "Constitution," and that all outside of the six restrictions are under the power of the body

to alter, amend, or repeal at the pleasure of the majority. This view probably originated in the fact that the provision for changes by the "constitutional process" specifies only the restrictions. But, in addition to the historical fact that the whole section was originally ordained to be the Constitution, and was so designated, the simple fact that it is the organic law, and does for the General Conference what the constitution of an organized body always does, is sufficient to compel the acknowledgment that the whole section which gives to the General Conference its name, its membership, its quorum, its presidency, its time of meeting, its scope of duties, its powers and its limitations, and its process of amendment, is of the form and force of a constitution, whether specifically designated by that name or not.

When the General Conference is convened and organized under this Constitution it is empowered to make "rules and regulations" for the Methodist Episcopal Church, subject only to the limitations in the six restrictions. Its grant of power is in general terms, and the limitations are specific. In this respect it differs from the constitution of the United States. In the latter the grants of power to the general government are specific, and the

reserve power is with the several States and the people; but here the general grant covers all the ground of legislation, with the particular exceptions noted. This, however, is to be observed, that the General Conference has no right or power whatever to "make rules or regulations," till it is organized with the membership, the quorum, and the presidency that this Constitution provides for it.

The work of the General Conference, in addition to making rules and regulations for the Church, which is done by revising the Discipline from time to time, as may seem important, consists in electing bishops, corresponding secretaries for the Missionary Board, the Church Extension Board, the Freedmen's Aid Society, the Sunday-school Union, and Tract Society, and editors for the Church papers and other periodicals, and Agents for the Book Concerns. It also appoints the members of the boards of the several departments of Church work, and determines the scope and methods of their operations; fixes the boundaries of the several Annual Conferences; reviews the administrations of the bishops in the Annual and Judicial Conferences; indicates where the bishops shall reside, and does whatever becomes necessary within the scope of its powers,

to give effectiveness to all the agencies of the denomination.

ANNUAL CONFERENCES.

The Annual Conferences, now numbering over one hundred, are composed of traveling ministers in full connection. Traveling preachers, on probation, also attend the Annual Conferences, make their reports, and pass their examinations, but do not participate in the proceedings. Each Conference includes the circuits and stations and districts within the geographical limits fixed for it by the General Conference. The business of the Annual Conferences is not legislative, but administrative and judicial. It deals with the character, qualifications and general fitness of the ministers for their work. A bishop presides, unless in some way hindered from being present, in which event the Conference elects a president from among the elders of the Conference, by ballot, without debate, unless the bishop appoints one in his place. The president decides questions of law, subject to an appeal to the next General Conference. Membership in the Annual Conference is acquired by recommendation from the District or Quarterly Conference; serving two years on trial in circuits

or stations, or in educational or editorial work, under appointment by the bishop; and passing satisfactory examinations in the course of study prescribed by the bishops, under the order of the General Conference. The Annual Conference is the ecclesiastical home of the traveling minister. It is not a delegated body. The members of it are not delegates, but members—their membership in the Church is there. To the Annual Conference they are amenable for their moral and Christian character, as well as for their official and ministerial conduct.

The Annual Conference has original jurisdiction in all cases of complaint or accusation against members of the body, and appellate jurisdiction in the case of local preachers. Preachers on trial are amenable to the Quarterly Conference of the charge they serve for their moral character, but not for official standing, so long as their character is unimpeached. Their relation to the Annual Conference secures them the authority to preach, and supersedes the necessity of renewing their licenses.

It has become common usage to admit preachers on trial into full connection, and elect them to deacon's orders at the same time. When admitted, whether ordained dea-

cons or not, they are entitled to vote on all questions coming before the Conference, including the election of delegates to the General Conference and pending changes in the Constitution of the General Conference. They are likewise counted in the basis of representation.

The Annual Conferences do not vote as Conferences on constitutional changes, but the members vote as individuals, and each vote is counted, the law requiring three-fourths of all the members who may be present, and vote in all the Conferences, to carry a proposed change. Every vote is counted to make the aggregate. In such cases it is not sufficient to announce the concurrence or non-concurrence of a Conference in a proposed change, as the majority may vote for or against the measure.

The Annual Conferences have jurisdiction over the educational work in their bounds, and are authorized to recommend financial plans for the circuits and stations, and to request the bishop to appoint temperance agents, tract agents, and agents for educational and other benevolent causes to be promoted amongst the people. But the Annual Conference does not appoint ministers to the pastoral charges, nor is the bishop obliged to make the appoint-

ments to agencies or schools which the Conference requests. The bishop is the ultimate authority in all the appointments except where the General Conference elects traveling ministers to fill official positions. Every preacher on the roll of an Annual Conference, in full connection or on probation, who is not in office by General Conference election, or on the superannuated or supernumerary list, must receive an appointment from the bishop, except in cases where the Conference requests that one be left without an appointment for the purpose of attending one of our schools; and the appointment must be a real one, not nominal, and not a general roving commission for work in other men's charges. It is now lawful, however, to appoint Conference evangelists under special limitations. This has been done in some instances at the request of the Annual Conferences, but sometimes to gratify the feelings of a disabled brother who disliked a non-effective relation. It is now a veritable appointment. When the bishop, at the request of a Conference, appoints temperance agents, tract agents, and agents for benevolent causes outside of the pastorate, it is always understood that the Discipline restricts the labors of such agents

to the bounds of the Annual Conference requesting the appointment. Departures from this rule are unauthorized.

While the bishop presiding decides questions of law, subject only to appeal to the General Conference, his decisions of questions of order, under rules adopted by the Annual Conference, are subject to appeal to the Annual Conference—the body making the rules being authorized to interpret and enforce them.

The Annual Conference may not adjourn to a distant day without the concurrence of the bishop, he being authorized both to fix and limit the time of the session within the terms of the Discipline.

QUARTERLY CONFERENCES.

The Quarterly Conference is the highest authority in the circuit or station for the purposes of local administration. It is composed of the traveling and local preachers in the charge, the exhorters, stewards, class-leaders, trustees, the first superintendent in each Sunday-school, and president of Epworth League Chapter—the class-leaders, trustees, and superintendents being members of the Methodist Episcopal Church, and approved by the Quarterly Conference for membership therein.

The business is set forth in the following Disciplinary provisions.

"¶ **98.** The regular business of the Quarterly Conference is:

"§ 1. To hear Complaints, and to receive and try Charges and Appeals, as directed in ¶¶ 236–243, 273.

"§ 2. To take Cognizance of all Local Preachers and Exhorters in the Circuit or Station, as provided in ¶¶ 196–204.

"§ 3. To receive the Annual Report of the Trustees; to elect Trustees where the laws of the State permit; and, at its discretion, to approve for membership in the Quarterly Conference Trustees who are Members of the Church, but who were elected otherwise than by the Quarterly Conference.

"§ 4. To elect Stewards for the Circuit or Station, and of these, to elect one a District Steward and one a Recording Steward.

"§ 5. To have oversight of all the Sunday-schools within the bounds of the Circuit or Station, and to inquire into the condition of each; to confirm or reject Sunday-school Superintendents nominated by the Sunday-school Board; at its discretion, to approve for membership in the Quarterly Conference Superintendents who may be Members of the Church, and to remove any Superintendent who may prove unworthy or inefficient. ¶¶ 346–349.

"§ 6. To have general oversight of the Ep-

worth League Chapters and other organizations of young people; to confirm or reject Presidents of the Epworth League elected by the Chapters; and to remove any President who may prove unworthy or inefficient. ¶¶ 339–342.

"§ 7. To observe carefully all the obligations laid by the Discipline upon the Quarterly Conference in reference to the support of the Ministry and of our Benevolent Causes. See ¶ 99.

The Pastors should give personal attention to the selection of competent Secretaries for the Quarterly Conferences, and see to it that the records be complete, and that they be preserved in books suited to the purpose.

The question of "Complaints" has given no little perplexity to administrators, many not being able to determine what application should be given to that term in Quarterly Conference proceedings. The General Conference of 1884 gave an authoritative exposition of this point, which accords with the rulings by the bishops, and must stand as the law in the case. It is as follows:

"This question in ¶ 99, question **7,** of the Discipline refers only to those persons who are amenable to the Quarterly Conference, and to those offenses of which said Conference has jurisdiction. It does not refer to Members of Annual Conferences, who are amenable elsewhere. The Quarterly Confer-

ence has jurisdiction over Preachers on Trial in an Annual Conference who may be accused of crime, and over the official and moral conduct of Local Preachers, and may hear complaints against them when presented in due form. With these exceptions, the question refers only to official misconduct of Members of the Quarterly Conference. For their moral conduct they are accountable to the same tribunals as private Members of the Church are.—*Journal*, 1884, page 376.

The Discipline once provided that if a brother complained that injustice had been done him in an arbitration he might complain to the Quarterly Conference, and, upon the showing of reasonable grounds, have the arbitration set aside and a new one ordered. Whether this was the original meaning of the question or not, it is not now so applied, but has the scope indicated in the above quoted extract from the General Conference Journal.

With this explanation, it is lawful for the Quarterly Conference to entertain charges of immorality against local preachers and preachers on trial, under the question, "Are there any complaints?" It is also proper to hear complaints of official misconduct and neglect of duty against stewards, exhorters, trustees, and Sunday-school superintendents. As class-leaders are appointed, and may be removed by the

preacher-in-charge, complaints against them may not be heard by the Quarterly Conference.

The presiding elder of the district is the president of the Quarterly Conference; but if he can not be present, he may appoint a traveling elder to preside. If neither the presiding elder nor the elder appointed by him be present, the preacher-in-charge is to preside, and that without special appointment from the presiding elder.

The presiding elder appoints the time of the Quarterly Conference, and the preacher-in-charge has no right to change the time, or to hold it at a time not given. If so held, its proceedings would not be legal.

When the presiding elder judges that the business of the Quarterly Conference is finished, he may adjourn it by his own action; and if the members are dissatisfied, they may enter their protest on the journal.

The Quarterly Conference may adjourn from day to day till its business is done; but an adjournment to a distant day is not lawful. It might exclude the lawful president from the chair, by meeting at a time when his engagement elsewhere would not permit him to be present. It should not adjourn to a distant day to take up new business, even with

the concurrence of the presiding elder. Such adjournments, if permitted at all, should be for unfinished business alone.

No definite number of members is necessary to form a quorum. The members present constitute the Quarterly Conference, and when convened, with the president in the chair, can elect a secretary, and transact all the business. The minutes must be read and approved before adjournment, as no subsequent Conference can approve the journal of a preceding one.

The Quarterly Conference need not act upon the report of the pastor, submitted for record on the journal. It is his report, subscribed by himself, and for it he alone is responsible.

The Quarterly Conference may not delegate its judicial duties to a committee of its own members or any other committee. It may not refuse to entertain and decide appeals of members, unless the appellant is shown to have forfeited his right to appeal. It is bound, in good faith, to do all the work assigned it under the Discipline.

The Quarterly Conference can direct the trustees of a Church in the matter of buying and selling real estate, and also in relation to building and repairing Church edifices and

parsonages. If a board of trustees find it desirable to sell ground or other property belonging to the Church, the Quarterly Conference can give an order for the sale, the preacher-in-charge and the presiding elder concurring, the proceeds to be used for the objects specified in the Discipline. The consent of the Annual Conference is not required to authorize the sale of Church property—unless in case of abandoned property, where the society is disbanded, and no legal trustees remain to control it.

The Quarterly Conference is the highest authority in the local Church, and ought to be respected and rendered powerful in its sphere, as it may be by a faithful attendance upon its sessions on the part of all who are entitled to membership in it. Its work, however formal, and seemingly unimpressive, is of vital interest to the Church, and should command the attention of all who really love the work of God and pray for the success of the Gospel of Christ.

DISTRICT CONFERENCES.

The District Conference is not universal in the Church, and is not an essential part of our system of Conferences, as it is held only in

such districts as choose to have it. However, when it is established under the form prescribed in the Discipline, it is as regular as any other Conference, and its authority within its sphere is complete and to be respected.

By the act of establishing the District Conference within the district the Quarterly Conferences part with such of their own powers as are assigned to the District Conference by the Discipline. All that relates to licensing local preachers, renewing licenses, recommending to the traveling connection, and the recommendations of candidates for ordination as deacons and elders, as well as trying, suspending, deposing, and expelling local preachers, passes over to the District Conference.

The District Conference has original jurisdiction in the case of local preachers, and may try them, under charges, either with or without the investigation which the Discipline provides for in the presence of a preacher-in-charge and a committee of local preachers. But the District Conference may now try charges against a local preacher by the appointment of a committee or select number. Traveling preachers are usually tried by a select number in the Annual Conferences, and this by a special authorization which did

not till recently exist in connection with District Conferences. (See note 23, in Appendix.)

In the matter of the examinations in the District Conference preparatory to licensing, renewing licenses, and recommending candidates for the traveling connection and for ordinations, it is not sufficient to have a committee to do the work and report to the Conference, except in the books prescribed in the course of study. In other words, this examination on the course of study, which may be by a committee, does not supersede the necessity of an examination "on the subject of doctrines and Discipline," in the presence of the Conference. This open examination is not only to show the proficiency of the candidate in the study of books, but to give personal satisfaction to the members of the District Conference as to his soundness in the faith, and his loyalty to the Discipline of the Church.

The bishop is the president of the Conference when present, and only when present. Decisions of law rendered by him while in the chair of the District Conference are not appealable to the president of the ensuing Annual Conference, which might be himself, or if it should not be himself, it would be

one of his colleagues; and the Discipline does not provide for an appeal from one bishop to another. If a trial occurs in a District Conference under the presidency of a bishop, resulting in the conviction of a local preacher, the appeal from the finding of the District Conference to the Annual Conference may be made, and may be tried by the Annual Conference on the record, but the ruling of the bishop in the trial can only be overruled by the General Conference, which body it can not reach till after becoming a part of the record of the Annual Conference.

In the absence of the bishop the presiding elder is the president. His decisions of law are binding on the District Conference, but an appeal may be taken from them to the president of the ensuing Annual Conference, the same as in the Quarterly Conference.

The District Conference once established, can only be dissolved or abolished by the vote of a majority of the members present at a regular session, notice thereof having been given at a previous session, and with the concurrence of a majority of the Quarterly Conferences of the district. The "regular session" and "previous session" must be taken to mean the regular annual or semi-annual meet-

ings of the body, and not the daily meetings of the District Conference while in session.

The same rule in regard to adjournments prevails in the District and Quarterly Conferences. Adjournments to a distant day must be solely for unfinished business, if allowed at all.

The District Conference may not transact the business usually belonging to Quarterly Conferences, not specifically transferred to it by the terms of the Discipline. It may not license local preachers, or renew their licenses, without the required recommendations from the Quarterly Conferences, or conditioned upon subsequent recommendations or examinations.

If in the re-arrangement of the districts at the Annual Conference a district having a District Conference is divided, so that half its former territory is taken away and other territory added, giving to the new the preponderance, the question of a District Conference should be again submitted to the Quarterly Conferences, as by such re-adjustment the district becomes substantially a new one.

Chapter II.

MEMBERSHIP.

"THE visible Church of Christ is a company of faithful men in which the pure Word of God is preached, and sacraments duly administered according to Christ's ordinance, in all those things that of necessity are requisite to the same." Such is the accepted definition of the Church, which applies to any of the evangelical denominations as well as our own. The Methodist Episcopal Church is a legitimate branch of the Church of Christ, with special "rules and regulations" adopted for the government of her own members, and the regulation of her working methods and benevolences.

The Discipline has no authority beyond the membership, and none other than moral means for enforcing its requirements upon those who are pledged to obey its provisions.

The pastors of the Churches are charged

with the duty of receiving and dismissing members according to the Discipline. The reception of members should be in the presence of the society under ordinary circumstances, yet there may be cases where, on account of affliction or other hindrances, the applicants can not appear in the assembly for examination and admittance, and then it is lawful for the pastor to admit them in private, in the presence of a few representing the congregation.

The acceptance or rejection of an applicant is never submitted to a vote in the congregation, and yet the question is propounded to those present, "Have any of you reason to allege why this person should not be received into full membership in the Church?" Before this point is reached, ample opportunities have been afforded for objections, as no one is brought before the Church for this examination till after six months' probation, and recommendation by the class-leader or the leaders and stewards' meeting. But should any one object to the reception of a candidate under such circumstances, the case should be passed over till the objection can be heard in private, as no discussion of the kind is admissible in the presence of the congregation.

The same course is proper in the event of any one refusing to answer the questions propounded to all candidates.

RECEIVING PROBATIONERS.

One of the first administrative duties to be performed is that of admitting applicants for membership on trial or probation. Applicants are of two classes, those coming as baptized children to be enrolled in the children's classes, and those from the outside applying as seekers or converts. The first class of applicants come under that section of the Discipline which sets forth the "Relation of baptized children to the Church." It is an important section, and deserves the careful consideration of every pastor. The language is so plain that there is scarcely a possibility that any one will need help in its interpretation, or by any possibility mistake the duties it enjoins. It is, however, well to note the fact that the children enrolled in these classes are thereby placed on probation in the Church, and both the parents and the children ought to be apprised of this, and fully understand it. Some do not so understand it, and consequently treat the "children's class" with less serious attention than it ought to receive. The design

of these classes is not merely to afford religious instruction, but to give the children specific training in religious duty and experience, looking to their conversion and preparation for membership in the Church. Unless this end is kept in view the design of the organization is not met.

The provision is as follows: "We regard all children who have been baptized as placed in visible covenant relation to God, and under the special care and supervision of the Church. The Pastor shall make an accurate register of the names of all the baptized children within his pastoral care, the dates of their birth, baptism, the names of their parents, and places of residence. The Pastor shall organize the baptized children of the Church, when they are at the age of ten years or younger, into Classes, and appoint suitable Leaders (male or female), whose duty it shall be to meet them in Class once a week, and instruct them in the nature, design, and obligations of Baptism, and in the truths of religion necessary to make them 'wise unto salvation;' urge them to give regular attendance upon the means of grace; advise, exhort, and encourage them to an immediate consecration of their hearts and lives to God, and inquire into the

state of their religious experience; *provided*, that children unbaptized are not to be excluded from these Classes."—¶¶ 44–46.

The point to be insisted upon is, that the pastor, under this provision, keep constant watch over the children of his charge, and see that both parents and children be duly instructed in the purpose of the Church to treat all baptized children as probationers, and that he make special effort to secure the co-operation of the parents in this design. It is his duty not only to keep the record of the children baptized in his own congregation, but also to learn from parents moving into his bounds the date and place of the baptisms in their respective families, so that the register of baptized children in his charge shall be complete, and to the end, also, that removals shall not take from the children their interest in the Church.

OTHER APPLICANTS.

The second class of applicants for probation in the Church may be regarded as seekers or inquirers. The conditions on which they are to be received are few and simple. "There is only one condition previously required of those who desire admission into these socie-

ties—a desire to flee from the wrath to come, and to be saved from their sins." This is the only condition "previously" required, and this relates exclusively to admissions on trial. There are other conditions subsequently required in order to membership in the Church.

Persons who have been converted are admitted on trial, in order that the genuineness of their experience may be tested, and that they may form an acquaintance with the teachings and usages of the Church, and accustom themselves somewhat to the duties and practices of a Christian life before assuming the full responsibilities of membership.

Those who do not profess conversion are admitted as seekers. They profess to be penitent. They "desire to flee from the wrath to come, and to be saved from their sins." The plan of the Church is to welcome them to all the means of grace, to afford them the encouragements and helps which are found in the Church, and to throw around them the restraints that such a relation brings to them. It is right, and in accordance with Methodist usage from the beginning, to urge penitents to become probationers in the Church. Thousands have been born into the kingdom in this relation, and, doubtless, many have been saved

to the Church, and saved in heaven, who would have been lost without this provision for seekers.

The form of making application for probation is not prescribed in the Discipline. The usual method is by coming forward in the congregation when invitation is given, but this is not strictly necessary. It is, perhaps, helpful to seekers thus publicly to commit themselves, but application may be made in more private ways. Applications to the pastor made privately are just as lawful as any, and may be acted upon by him without any hesitation. The class-meeting is also a suitable place for seekers to present their names, and every class-leader ought to be a recruiting officer for this service. But the distinction between applying for probation and being officially placed on probation should be always observed.

It is not unlawful for the pastor to admit applicants on trial, on his personal knowledge of them if, in his judgment, they ought to be received; yet it is wiser to present the names of all candidates to the leaders and stewards' meeting, and have formal action in each case. The admonition, "Let great care be taken in receiving persons on trial," is observed in this way, and the official members become person-

ally interested in those who are thus received It is best not to enter the names of applicants on the Church record for probationers till after the leaders and stewards' meeting has approved them.

The period of probation may be counted from the date of the application, although the formal action approving the application may not be taken for a month or two later.

The pastor is not obliged to take final action in the case of probationers at the expiration of the six months, admitting them to full membership or dropping them. The Discipline does not limit the term of trial to six months, but only provides that it shall not be "less than six months." It may lawfully continue for any period, and in many instances it is expedient to allow persons to continue in this relation for many months, and even for years. Many have been saved by the longer probation.

ADMITTING TO MEMBERSHIP.

Candidates for membership from the children's classes are to be received just as other probationers. When they have been under training for six months or more, and have been recommended by the class-leader who has

been in charge, they are eligible to full membership. Although the recommendation of the leader with whom they have met in class is all that is technically required, it is, nevertheless, prudent to bring their names before the leaders and stewards' meeting for approval, so that the pastor's action in receiving them shall have the fullest concurrence of his lawful advisers. They must, of course, in all cases, assent publicly to the baptismal covenant, and to the usual questions on the doctrines and Discipline of the Church.

The practice of giving certificates of admission into full membership to each one at the time of reception, although not provided for or required by the law of the Church, is commendable, and particularly so in the cases of such as come through the children's classes.

It is not lawful to admit any one into full membership who does not profess to be converted. There is no standard or model of experience to be insisted upon, except that each one must be able to answer the question, "Have you saving faith in the Lord Jesus Christ?" In former times the Church was not so particular at this point, and it can not be doubted that persons have attained mem-

bership and even official positions in the Church, without claiming the experience of regeneration, or giving evidences of a change of heart. Examples of this kind in the past are not to be pleaded as precedents in the present, as the latest regulations incorporated in the Discipline look to more careful action than was formerly required. It may be assumed that one of the purposes of allowing the extended probation is to afford all persons ample time to secure the required experience.

The Disciplinary form for admitting persons into full membership ought to be invariably used. It is a beautiful summary of the privileges and duties of Church membership, is both simple and impressive, and can not be displaced by any voluntary form without detriment.

No one is to be received in any case without baptism, or without assenting to the doctrines of the Church, and promising obedience to the Discipline.

The questions propounded to candidates, and answered by them, constitute a covenant of fellowship of the most sacred character, and should never be regarded as a mere formality or ceremony.

RECEIVING LETTERS.

The Methodist Episcopal Church is a connectional organization. Membership in it at one place entitles the person to its spiritual privileges in every place. In removing from one charge to another our members neither lose their standing nor their rights. In an important sense membership in the Church is membership in the whole denomination. Wherever a Methodist goes he is a Methodist, and is entitled to be recognized and treated as a member of the Church wherever he finds a Methodist congregation. But the Methodist people, wherever he seeks their fellowship, have a right to require that he furnish evidence of his membership. To meet this requirement, and to prevent abuses, certificates of membership are provided for those who go abroad, and for such as remove from one charge to another.

It is customary with pastors to give public invitations in the congregation to persons present to "join the Church by letter or certificate." In one sense there is no such thing as "joining" by certificate. If the person were not a member of the Church he would not have a certificate. The certificate is a tes-

timonial to the fact that he belongs to the Church. But each one must have a local connection or membership, and it ought to be held where he lives, as a rule, or where he can be within easy reach of the stated services of the Church. In case he desires to transfer his local connection from one charge to another, on account of change of residence, or on other proper grounds, he receives his certificate of membership and presents it to the pastor of the charge with which he wishes to unite. It is the duty of the pastor to receive the certificate, and record the membership thus transferred to him. He is not at liberty to reject it, for the reason that no one holding membership in the Church can be deprived of his rights without due form of procedure.

The former plan was to dismiss jurisdiction over the member receiving a letter at the time of giving the certificate, allowing the pastor receiving the certificate to hold the person presenting it amenable for his conduct during the time the certificate was in his possession. This principle has not been abandoned, except as to dismissing the jurisdiction on giving the letter. By the law of the Discipline, the person receiving the certificate is held responsible to the Church from which he takes his letter,

until he deposits it with another charge; and, in addition to this, the Church receiving the letter is authorized to hold the party amenable for his conduct while he had the letter, the same as under the older regulation. It follows that the possession of a certificate of membership does not take a person out of the Church, nor does it in any respect diminish his responsibility.

In receiving members on certificate it is not necessary to adopt any formality whatsoever. It is customary, and very properly so, to read certificates in the congregation as soon as convenient after their reception. This is for information, and it is a suitable introduction for the persons coming thus into local membership; but the act of reading the certificates publicly has no official character or legal force. The names of the persons thus received must be entered in the quarterly report of the pastor, and read both in the Quarterly Conference and the quarterly love-feast.

The certificate of membership is not valid, and, therefore, a pastor is not obliged to receive it if presented, after it is one year old. It is, however, the privilege of the person holding it to have it renewed by the pastor giving it (or his successor), if he gives a rea-

sonable excuse for holding it so long. It is not necessary for the pastor to present the names of persons presenting certificates to the leaders and stewards' meeting for approval.

RECEIVING MEMBERS FROM OTHER CHURCHES.

The policy of the Methodist Episcopal Church toward other denominations is liberal. We acknowledge the validity of all the orthodox evangelical Churches, and aim to give full credit to their ordinances and administrations. When members of these denominations come to us desiring to unite with us we receive them on proper testimonials, and count their approved standing in the Churches from which they come as equivalent to a term of probation, and admit them at once into full membership. In doing this, however, we observe the form of admitting members from probation. They are required to answer the same questions that are propounded to other candidates for membership. In no case should this be neglected.

In determining what Churches are "orthodox evangelical," in the sense of the Discipline, there is no specific law to guide us. Some discretion will necessarily remain with the ad-

ministrator. In receiving members under our own forms we can afford a liberal interpretation, since each person will assent to our doctrines and approve our rules and usages.

It will be observed that letters coming from other Churches are not received as those coming from other charges in our own Church. In the latter case the persons are members, and are to be recognized as such without formality; but in the former case they are only seeking membership and must be admitted in proper form. This remark is made thus definite because it is known that some of our pastors have received members on certificates from other Churches in the same way as if they had come from another charge in our denomination. It is not the purpose of the law to have any members who have not formally accepted our doctrines and Discipline.

It is not indispensable that such applicants for membership bring certificates. Some Churches will not give letters of dismissal for the purpose of commending their members to our communion. It is only important that the pastor be satisfied that the applicant is a member in good standing, and that he comes without reproach. The rule is, "If a member in good standing in any other orthodox

evangelical Church shall desire to unite with us, such applicant may, by giving satisfactory answers to the usual inquiries, be received at once into full membership."

GIVING LETTERS.

It is the duty of the pastor to give certificates of membership to persons in good standing in the Church who desire to remove into another circuit or station. When application is made for such certificate the pastor is not at liberty to refuse it, unless there are complaints against the applicant, or rumors in circulation detrimental to his character. In such cases the pastor may withhold the certificate till investigation can be made; but in all cases where the party makes an actual removal beyond the limits of the charge, or really proposes to do so, he is entitled to a certificate or to a speedy trial, in which he may answer to whatever is alleged against him.

A pastor is not required to give certificates except where an actual transfer of membership to another charge is intended. It is, therefore, competent for him, in all cases, to ask the purpose of the applicant, and insist on being told what use is to be made of the certificate. An intention simply to withdraw

temporarily, in view of some dissatisfaction with the existing condition of things in the charge, and then to return the letter after desired changes have taken place, is not sufficient. Certificates should not be given under such circumstances.

The other directions, concerning the duty of the preacher in charge in the matter of certificates, found in ¶ 49, are specific, and nothing more than this reference to them is necessary.

DISMISSALS TO OTHER CHURCHES.

Persons in our communion, desiring to leave us and unite with other Churches, are to be treated with the utmost courtesy. On this subject the rule is, "A preacher may give a note of recommendation to any member who wishes to unite with any other evangelical denomination." This "note" is not a certificate of membership, and may not be used to transfer the membership of the person receiving it into another charge in our Church. It is given as an act of courtesy; and courtesy would require that persons leaving us to unite with denominations that do not acknowledge the validity of our Church organization, should not ask such notes of recommendation. In

giving such "notes" the pastor should also remember the rule that requires all applications for withdrawal to be presented in writing. There is, therefore, reason for requiring all who desire notes of recommendation to other Churches to make application therefor in writing, indicating the particular denomination with which they desire to unite.

WITHDRAWALS.

The Methodist Episcopal Church is not a prison. Membership in it is voluntary, although based upon the most solemn covenant engagements, with reciprocal duties and obligations. The contract which underlies this membership may be dissolved by either party upon due notice to the other, by observing the forms and stipulations provided for such action, and discharging existing obligations—only that the Church can not dissolve it except for cause.

The Church makes the following provision for those "in good standing" who desire to withdraw: "When any member in good standing proposes to withdraw from the Methodist Episcopal Church, he shall communicate his purpose in writing to the preacher in charge of the circuit or station. On receiving such

notice of withdrawal, the preacher in charge shall enter the fact of his withdrawal upon the records of the Church."

There is no provision for giving certificates to persons wishing to withdraw from the Church. Certificates are not needed for going out into the world, and should not be given.

Sometimes parties will insist on some form of writing, showing that they have been members, and that they go out by withdrawal, and not by expulsion. This demand is readily met by giving a letter like this: "A. B., the bearer, is hereby permitted to withdraw from the Methodist Episcopal Church." Or a fuller form is this: "This is to certify that A. B. has been an acceptable member of the Methodist Episcopal Church at —— up to date, and that by his own act his membership is this day severed by withdrawal." There are not many instances in which this latter form is justifiable. It can only be where the person goes out without any cloud and without animosity. But this form of certificate can not be accepted as a Church letter in any other charge; nor can the membership thus withdrawn be restored merely by returning this letter to the pastor who gave it. It is an

actual withdrawal, consummated when the record is made.

But it should be added that the person withdrawing, and afterward changing his mind and desiring to withdraw his withdrawal, may be permitted to do so at any time after the withdrawal and before the pastor's quarterly report, including his name as withdrawn, has been presented in the Quarterly Conference and made part of the record.

After this consummation if the person withdrawn wishes to return to membership in the Church, it must be by a different process of restoration than simply withdrawing his withdrawal. The law does not provide for such a case; but it is reasonable to assume that, inasmuch as the Quarterly Conference is the highest authority in the charge, and its record shows the withdrawal, a vote of the Quarterly Conference, consenting to the restoration of such person to membership, ought to be sufficient to justify the pastor in granting the person's request to be restored to his former standing—there being no question of character involved. Any privilege of restoration to membership after withdrawal is a favor, and not a right, to which the app'icant is entitled.

The privilege of coming back into mem-

bership without probation is always to be granted with extreme caution, and only where the parties are so well known, and known to be so familiar with Methodist usages that all the purposes of probation have been fully met in their previous connection with the Church.

The design of the rule requiring all applications to withdraw to be made in writing, is to prevent hasty action, such as people are liable to take while under excitement. The act of dissolving one's connection with the Church is far too serious to be done without mature deliberation. It involves such far-reaching results to the person himself, and possibly to his family and friends, that it ought never to be decided upon hastily or under the influence of passion. The tendency of this rule is not only to secure thoughtfulness in this action, but to avoid misunderstandings and preserve that mutual respect and good will between the parties to the weighty transaction which is always desirable.

Chapter III.

THE MINISTRY.

In Methodism the ministerial office is held to be a divine vocation. Every one entering it professes to be moved thereto by the Holy Ghost. The tests of this call are "gifts, grace, and usefulness." Where these are found, and the convictions of the Church agree with the inward persuasion of the person believing himself called of God, it is accepted as safe and duty to confer upon him the authority to enter upon the work of preaching the Gospel.

The process of advancement to the full grade of the office is shown in the chapter on "Licenses and Ordinations." In this attention is called to the duties and responsibilities of those in official positions, on whom rests the burden of administration.

PREACHERS-IN-CHARGE.

The preacher-in-charge of the circuit or station is the pastor, and on him rests the obli-

gation to superintend the spiritual and temporal interests of the Church under his care. The phrase, "preacher-in-charge," originated in the practice of having more than one preacher on a circuit. The others, not in charge, have been designated assistants, helpers, and junior preachers. While each is responsible for his own work, in his proper sphere, under the direction of the senior or preacher-in-charge, the latter alone is responsible for the administration of the Discipline.

Among his special duties is that of "having the oversight of the other preachers in the circuit or station." This includes all the preachers, traveling and local. This "oversight" means that he shall supervise their work, give them counsel and direction, and urge them to duty, if need be. They are expected to plan their work according to his desire, and regard his wishes in making and filling appointments. It also means that he may call them to his aid in pastoral duties, in revivals, in taking the collections, and in enforcing order under the Discipline. He is, furthermore, to observe their manners, their conduct, their methods of living and work, and especially their teachings, so as to be pre-

pared to represent them properly, and to reprove if necessary.

The preacher-in-charge has particular oversight of the class-leaders. These are his helpers—his eyes and ears and hands and feet. They watch over their members, and see their needs, and hear their testimonies and their complaints, and report to the pastor the things he ought to know. They visit and relieve and help and counsel the members, and do for the pastor much supervisional work which he is unable to do in person. They are his appointees, and amenable to him for all their official work as leaders. It his duty "to appoint all the leaders; to change them when he deems it necessary; and to examine each of them, with all possible exactness, at least once a quarter, concerning his method of leading a class."

The preacher-in-charge is required to see that all the societies are supplied with books and Methodist literature. He is an agent for the people to supply them, and the agent of the publishing houses of the Church to spread their publications among the people. As he is a joint owner of the Book Concerns, and shares directly or indirectly in their profits, he is bound in honor as a man and minister to

do all he can to promote their interests, and to prefer their publications over all others. But his highest obligation is to the people of his charge, who need the literature of the Church much more than they imagine, and need his pastoral influence to bring it to their attention.

As pastor he has special oversight of the children, and special duties with reference to their religious instruction. He is pledged in his covenant engagement with the Church to "instruct the children in every place." He is required to "organize the baptized children of the Church, at the age of ten years or younger, into classes, and appoint suitable leaders;" "to catechise the children publicly in the Sunday-school and at special meetings appointed for that purpose;" "to form classes for the instruction of the larger children, youth, and adults in the Word of God, and to attend to all the duties prescribed for the training of children;" and beyond all this he is bound to state in his report to each Quarterly Conference "to what extent he has publicly or privately catechised the children of his charge." He is also to "lay before the Quarterly Conference at each quarterly meeting, to be entered on its journal, a written statement of the number, state, and average

attendance of the Sunday-schools in the circuit or station, and to report the same to the Annual Conference."

Among the administrative duties of the preacher-in-charge is that of receiving and dismissing members according to the Discipline, making report of the same to the Quarterly Conference, and keeping a correct record of the membership according to its ever-varying conditions. The terms of membership are elsewhere considered. The necessity of an exact record of the membership is apparent, and the duty of giving the required time and attention to this matter can not be insisted upon with too much emphasis. No one can do this work but the pastor, and no other one is responsible for it. It is important that the record show the state in life of each member, whether married or single, the class to which each belongs, and the residence, so that any one can be found. This is particularly desirable when a new preacher comes into the charge.

The pastor is particularly charged with the oversight of the collections to be taken in the congregations. These are for Missions, Church Extension, Freedmen's Aid, Sunday-school Union, Bible Society, Tracts, and Education,

He may take counsel of the Quarterly Conference committees on these several benevolences as to the time and method of lifting the collections, and ought to do so, but on no account should he desist from calling for them. The duty is imperative, and neither stewards, nor trustees, nor the Quarterly Conference have any right to prevent him from representing these causes and asking the people for what they are willing to give. Collections ordered by the Annual or General Conference are not to be set aside by local authorities. If the people can not give they can withhold, but the pastor is obliged to give them the opportunity to give. So far as collections for current expenses, the support of the preachers, and the property of the Church are concerned and local or voluntary benevolences, the trustees or the stewards, according to the nature of the case, are the authority, and the pastor acts in their behalf in presenting the subject to the people.

By virtue of his office the pastor is chairman of all Church meetings in his charge where a different provision is not made. This includes the leaders and stewards' meeting, the "official board," if there be one, the Sunday-school board, and all the Quarterly Conference

committees, and the Quarterly Conference, in the absence of the presiding elder, and of an elder appointed as his proxy. He may also preside in the meetings of the trustees by courtesy, but as their duties are secular, relating to the finances of the Church property, their sessions are not Church meetings in a sense that requires the pastor's presence. The stewards seldom meet as a board, and when they do their business so intimately concerns the pastor and his support that his presidency is unbecoming. But it is his duty to inspect their accounts, and to see that their business affairs, as stewards, accord with the rules and usages of the Church.

PRESIDING ELDERS.

Presiding elders are appointed by the bishop who has charge of the Annual Conference. In the economy of the Church they are his representatives and agents. They act for him and stand between him and the preachers and Churches, not only as his representatives, but as theirs also. It is through the presiding elders the bishop obtains the knowledge of the preachers and Churches that guides him in making the appointments, and in much of his official action in other branches

of his supervisory work. The bishop consults other sources of information and gathers intelligence from every quarter, not disregarding the unofficial committees from the Churches that wait upon him, and yet his most minute and valuable advices come from the presiding elders. These come directly from the Churches, where they hold official intercourse with preachers and people, and stand so related to both, and to the general work of the Church, and to the bishops, as to be as nearly as is possible unbiased and yet competent judges, and faithful reporters of the facts necessary to a correct understanding of the needs and desires of all parties. In the nature of the case they are largely influential in the appointments, as the bishop is obliged to depend upon their judgment in regard to the wants of the people, and the ability and fitness of the preachers. Few men hold such responsible positions, and few exert a more powerful influence upon the Churches or do more to give spirit, tone, and direction to the religious activities of the times than the presiding elders. They are the leaders of the preachers, and the Churches, and the communities in moral reforms and benevolent enterprises, and have wide opportunities for pushing evangelistic efforts, while in the An-

nual Conferences their power is felt to be almost supreme in introducing and advancing the young men who are to make the ministry of the future.

Within his district, embracing from twelve to sixty pastoral charges, the presiding elder is clothed with very great authority, for the exercise of which he is amenable to the bishop and to the Annual Conference. The bishop may remove him at any time and appoint him to other work, if he be found abusing or neglecting, or unwisely using his powers, and for maladministration the Annual Conference may deal with him as with other ministers.

In the absence of the bishop the presiding elder takes charge of all the elders and deacons, traveling and local preachers, and exhorters in his district. He is their official superior, and has the oversight of their work, yet not so as to be an arbitrary ruler of their persons and time. His rights are limited by Disciplinary provisions. He may change pastors from one circuit or station to another within his district if he believes it right and necessary; but he can not discharge a preacher appointed by the bishop, or relieve him from duty without appointing him elsewhere. If a circuit or station is without a pastor he can

employ a local preacher to fill the place, giving the supply all the power belonging to any other preacher in charge; and if occasion arise he can discharge the supply or relieve him from duty without giving him another charge. He can not, however, change a traveling preacher from the appointment given him by the bishop to another place to which it would not be lawful for the bishop to assign him. The law of limitation governs the presiding elder in the employment of supplies, whether supernumerary, superannuated, or local preachers, the same as the bishop in making appointments.

The phrase, "in the absence of a bishop," has come to be somewhat ambiguous. When it first came into use it simply meant the absence of the bishop from the district, for when such absence occurred the bishop, who was constantly traveling abroad, mostly by private conveyance, with little opportunity to communicate with his great field, was inaccessible for counsel or official action. But now the conditions are different. The bishop can be found at almost any time, and can communicate with the presiding elder from any part of the country within a very short time; yet the language stands as in earlier times, and there appears to

be no grounds for giving to it a different construction from that which it bore from the beginning. If the bishop be not present in the district the presiding elder is in full possession of the powers assigned him in the bishop's absence.

The presiding elder presides in the District and Quarterly Conferences. It was this presidency that gave the name to his office. He fixes the time of the meeting of the District and Quarterly Conferences, and while in the chair decides all questions of law that arise in actual proceedings, subject to an appeal to the president of the next ensuing Annual Conference. If the bishop is present at a District Conference he takes precedence in the chair, and yet his presidency is more of a *pro tempore* character than permanent, as it is scarcely proper for him to sign the licenses and other official documents that may be issued, and which bear the signature of the presiding elder according to uniform usage. The decisions of law made in the chair by the presiding elder may not be reported to the bishop, and by him be passed upon at once in anticipation of the Annual Conference. An appeal must be regularly taken, and the records of the District or Quarterly Conference containing the ruling

must be presented to him at the session of the Annual Conference, so that the ruling of the bishop on the appeal may go into the records of the Annual Conference. The opinion of the president of the Annual Conference, expressed informally while out of the chair, has no binding force, even if it should cover the exact point to be decided on appeal.

The judicial authority of the presiding elder is considerable and important. He is required to preside in the trial of local preachers in the District or Quarterly Conferences, and may not delegate that duty to another unless he is necessarily absent; and in cases of appeals by members of the Church to the Quarterly Conference he is to decide questions of law, if the appeal be heard, and if the appellant complain that prejudices or other conditions will not permit him to have an unbiased hearing in the Quarterly Conference of the circuit or station where he belongs the presiding elder must decide the question of a change of venue, or the removal of the appeal to another Quarterly Conference. It is also his duty, if a traveling preacher in his district is accused of crime, to entertain charges, appoint a committee of traveling preachers to investigate the accusation, notify the accused, and

preside in the investigation. He must decide all questions of law that arise in the case, whether in the preliminary steps or in the proceedings before the committee.

The presiding elder has particular responsibility with regard to candidates for the ministry. He is to examine them in doctrines and Discipline, direct their attention to the importance of a literary and theological education, test their call to preach the Gospel, judge of their gifts and adaptations to the work, and represent them before the Annual Conference. The future ministry of the Church is very largely in the hands of the presiding elders.

It is also the duty of the presiding elder to see that the titles of Church property within his district conform to the laws of the State and to the Discipline, and that it is insured; to take care that every part of the Discipline is enforced; to correspond with the bishop in relation to the work in the district; to do all he can to promote the cause of missions and other benevolences; and, in a word, to see that all the interests of the Church in the several charges of his district are faithfully attended to by the ministers and others charged with particular duties.

THE BISHOPS.

The Methodist episcopacy is unique. There is nothing like it in ecclesiastical history. The bishops are elected by the General Conference, without limit as to time, and are set apart by solemn consecration, investing them with an authority that would be amazing but for the guards and checks and amenability that accompany the office. One of the peculiarities of their superintendency is that it is general in the case of each one, extending to the remotest boundaries of the Church in all lands, without any geographical limitations. Whereever a bishop is found in the Church he is in full power, and in all respects equal to his colleagues, with only such restrictions to the exercise of his functions as are conventional, for the sake of convenience and harmony. The temporary assignment of the bishops to the presidency of Annual Conferences is a matter of convenience and courtesy rather than of law, and yet the necessity of such a distribution of the work is so great that the usage has come to be recognized as binding, and commands all the respect of a positive obligation. The assignments are made by the board of bishops in semi-annual meetings, the

transfer of jurisdiction taking place at the time the assignment is made. The bishop presiding has the jurisdiction of the conferences assigned him for twelve months, or till they are assigned to his successor in the presidency. The itinerant superintendency is thus maintained in fact as well as in name.

The first administrative duty of the bishop is the presidency of the Annual Conference. In this presidency he is the law officer of the body. He decides all questions of law involved in the proceedings of the Conference, subject to an appeal to the General Conference, and makes the appointments of the preachers to the districts, circuits, and stations under the limitations of the Discipline.

The questions of law which he decides must be such as arise in cases actually pending, not abstract questions brought to his attention by individual members of the body, or by the body itself. Questions coming before him in proper form on appeal from the rulings of presiding elders in district and Quarterly Conferences, and questions in the trial of appeals of local preachers from the action of district and Quarterly Conferences, are involved in the proceedings of the Annual Conference, so as to require the decision of the

bishop. It sometimes happens that important decisions of law are made when nothing of a judicial character is pending; as, for instance, when action is proposed which, when mentioned, appears to be contrary to the law of the Church, or inconsistent with the powers of the Annual Conference, and the bishop declines to entertain the business or to submit the motion to vote. In such cases it may be that no record is made, and that consequently, while the action of the bishop is strictly judicial, it does not come before the General Conference for review. It is difficult to make a record in some cases of this kind that will disclose the nature of the bishop's ruling, because of the difficulty of showing the exact character of the proposed business not entertained.

The bishop's highest function is in making the appointments. Here his power is limited only by the restrictions of law as to time. He may not continue a presiding elder on a district longer than six years, and he may not return him to the same district, after he has served a term upon it, in less than six years. There is, however, no law limiting the time a man may serve in the office of presiding elder. If changed from one district to another he

may lawfully continue in the office for any number of years. The long continuance of a person in this office has been found distasteful in some conferences, and the bishops have sought to avoid it by some administrative regulations which have not the force of law. This, also, is liable to excite feeling, as the Church would show sensitiveness at the first appearance of the assumption of legislative functions on the part of the bishops. They are, therefore careful to have it understood that all the rules of procedure which they agree upon between themselves are merely prudential, and admit of exceptions whenever the interests of the work require that exceptions be made. Their aim has been to increase the efficiency of the presiding eldership, and avoid the evils likely to grow out of the practice of keeping a few men in positions of such great influence to the exclusion of others equally worthy and competent.

The limitation of the pastoral term to a fixed number of years has heretofore been recognized by the bishops as an essential feature of the itinerancy, and they have discountenanced all devices to obviate the force of the law or to create exceptions to it, believing it their duty to maintain the integrity of the

system, even at the expense of personal preferences or local convenience; but, now that the limit is removed, they cheerfully accept the will of the General Conference as supreme, and hold themselves ready to administer the law as given by the law-making power of the Church—the law of annual appointments.

The duty of making transfers from one Conference to another is one which is not the least perplexing to the bishops. The power itself is an incident of the power to make appointments. The theory is that the whole body of the traveling ministry is one body, and that members of it are liable to be appointed to any section of the country where their services are needed, regardless of Conference boundaries; and the right of the bishops to make such transfers is not in question But since the transfer changes the Conference relation of the minister, it is evident that some regard must be had to the needs or wants of Conferences, as well as ministers and Churches. The bishops, also, having a common jurisdiction, and yet being subject to conventional regulations in their administration, are obliged to consider one another in making transfers. Their arrangement is that where one bishop

does not have the immediate charge of both Conferences, it requires the concurrence of two bishops to effect a transfer. The bishop having the charge of the Conference from which the transfer is sought, and the one having the oversight of the Conference to which the person seeking the transfer wishes to go, must both be consulted, and consent to the arrangement. It is not enough to have the consent of the presiding elders, however general and cordial that may be.

The supervision of the foreign missions of the Church is no small part of the work of the bishops. The law does not indicate the method of this supervision, nor determine how often visits shall be made to the different fields abroad; but the General Conference has expressed its will in this regard from time to time by resolution, or other formal recommendation, and the bishops have sought to conform to that desire with the same promptness and fidelity as if the action had taken the form of law.

It is the duty of the bishops to preside in Judicial Conferences, convened for the purpose of hearing appeals from Annual Conferences by traveling ministers, and to decide all questions of law arising in them, subject to

appeal to the General Conference. Under the former usage, when appeals were made to the General Conference, the appeal carried all questions of law and fact to the appellate body, and the duty of the bishop presiding was to keep order and conduct the business in proper form; but since the creation of Judicial Conferences with appellate jurisdiction, the right to make the ultimate determination of the law has been reserved for the law-making body itself, and has not been delegated to the Appellate Conference. The bishop presiding is therefore required to make the decisions, which decisions go into the records, and the records go to the General Conference for examination, and any ruling from which appeal is taken can be reached and decided upon its merits.

The bishops preside in the General Conference. Being all present, and equal in authority and right they preside in turn, beginning with the senior bishop and following the order of seniority. This same order prevails in all their own meetings, and in the general committes and boards of the Church where their presidency is required. This is all the distinction the seniority in the episcopacy affords, since there is perfect equality in office, juris-

diction, and responsibility, none possessing or seeking the pre-eminence. But in presiding in the General Conference the bishops do not decide questions of law. That body is supreme in its sphere, with only the limitations of its Constitution upon it, and as it enacts the rules and regulations of the Church, it puts its own interpretation upon them. The bishop in the chair decides questions of order, subject, of course, to appeal, but he strenuously refrains from any ruling that involves a construction of the law; and yet if action were proposed which, in his judgment, involved a violation of the law without a formal modification of it, or a breach of the limitations of power imposed by the Constitution, it would be his duty to call attention to the supposed infraction, and restrain the action of the Conference if possible. Indeed, a condition of things is supposable in which it would be the duty of the bishop to refuse to entertain a motion, and decline having any part in the transactions of the body. If action should be proposed which is contrary to the constitution, or violative of vested rights protected thereby, the bishop is bound to object, and use all the power of his office to preserve the organic law in its integrity. He has the right to assume

that the proposed action has been hastily introduced, and to insist upon more careful investigation, and finally to protest against it in the interest of law and consistency. If overruled, his right to be heard and have his protest entered on the journal, could not be denied without the most flagrant departure from justice, such as is not conceivable. Although not a member of the General Conference, technically speaking, the bishop is its lawful president, with rights superior in that position to a mere acting chairman, and he may not be displaced or deprived of his rights without formal action suspending him or deposing him from his office. Such a conflict has never occurred, and probably will never occur, and yet it is supposable, and the consideration of its bearing is not improper in the study of the legal rights and duties of the parties under the Discipline of the Church.

As the constitutional president, while the bishop may not participate in debates, he may "lawfully suggest what is expedient in the order of business, in the interest of regularity, consistency, or economy of time."

Chapter IV.

LICENSES AND ORDINATIONS.

In Methodism the ministry is of the people, and authorized by the people. The first step towards license is the recommendation of the laity. The Quarterly Conference, composed largely of laymen, can not grant a license to preach till the candidate has been recommended by the society of which he is a member, or by the leaders and stewards' meeting.

EXHORTERS.

The usual beginning of the work of preaching is in the line of exhortation, and therefore it is common to license men to exhort before they are licensed to preach. At least this was the older custom, and is not yet obsolete. It has never been the invariable method, but quite general, and there is no reason why it should be abandoned. At all events, the spirit and power of exhortation ought to be

increased rather than diminished in the Church. The exhorter is the helper of the preacher-in-charge. He is licensed by him, and is subject to his direction. It is the exhorter's duty to hold meetings for prayer and exhortation wherever opportunity is afforded. In former times the exhorter and the prayer-meeting were intimately associated, and there is seldom a prayer-meeting without an opportunity for exercising one's gifts in that direction. But not a few mistakes have been made in spoiling good exhorters by making of them very poor preachers.

The exhorter is constituted by the recommendation of the class of which he is a member, or of the leaders and stewards' meeting of the circuit or station, and a license signed by the preacher-in-charge. This relates, of course, to the first license by which a man becomes an exhorter, as the renewal of his license is by the Quarterly or the District Conference. The exhorter is a member of the Quarterly Conference and the District Conference, if there be one, and is subject to an annual examination of character, and such examinations of a literary kind as the bishops may prescribe, and is amenable to the Quarterly Conference for his official standing and

work, but in all other respects his accountability is that of a private member of the Church. ¶¶ 203, 204.

LOCAL PREACHERS.

Local preachers receive their authority from the Quarterly or District Conference, on recommendation from the society of which they are members, or the leaders and stewards' meeting. The design is that their license shall originate with those who have the best knowledge of their religious life and character, and are best able to judge of their gifts and probable usefulness.

When one has been recommended to the Quarterly Conference as a suitable person to receive license as a local preacher, he is required to appear before the Conference and pass an examination on the doctrines of the Church, for the purpose of showing his views in theology, and his aptness in stating the truth as he understands it; and, also, on the Discipline of the Church, so that his understanding of it may be indicated, and his loyalty to its requirements be declared. This examination is not of a literary character, and should never be intrusted to a committee. It must take place in the Conference. The examination on the course of study

is different, and may be by a committee. All candidates, before receiving a first license, are to be examined in the common branches of an English education, and on their general knowledge of the Bible, and of the doctrines and usages of the Church. These two examinations are distinct, and both requisite.

If there be no District Conference in the district the full power to grant the license is with the Quarterly Conference; but if a District Conference exists, the Quarterly Conference can only pass the recommendation with its indorsement to the District Conference. The question of license can not be acted on in the District Conference without the previous recommendation of the Quarterly Conference.

After the license has been obtained the local preacher is required to enter upon the course of study prescribed by the bishops, and to prosecute it regularly during the four years requisite for its completion, and this whether he contemplates ordination or not. The satisfactory examination is a condition of the renewal of the license, from year to year, till the course is finished.

A local preacher is eligible to the office of deacon after he has preached four consecutive years. This period must be counted from the

time he was regularly licensed, and must be continuous, without a break. The years are calendar, not ecclesiastical. His election to the office of deacon is by the Annual Conference, after due recommendation by the District or Quarterly Conference, and after satisfactory examination on the course of study.

The examination at the Annual Conference for ordination as deacon is on the whole of the four years' course prescribed for local preachers; and it must be a special examination on this course by a committee of the Annual Conference. A certificate from the District or Quarterly Conference, that the candidate has passed the entire course, is not sufficient, for this examination is to be a review of the entire course, not merely to show the fact that the books have been read, but to prove the person's intelligence therein, and his fitness for the office to which he seeks admittance by ordination.

A local deacon is eligible to the office of an elder after he has preached four years from the time he was ordained a deacon. But this term of service does not entitle him to the office. He must have the indispensable recommendation from the District or Quarterly Conference, certifying his qualifications in doc-

trine, discipline, talents, and usefulness, and give assurance of his belief in the doctrines and Discipline of the Methodist Episcopal Church. He must also pass a satisfactory examination in the further studies prescribed for this office.

There is no term of service required in the position of local preacher in order to admission on trial in the traveling connection. Persons are sometimes recommended to the traveling connection at the time they are licensed to preach. It is well, however, to make this the exception rather than the rule. Every one should have some experience in the pulpit, if it be at all practicable, before being recommended as suitable for the pastorate. The admission on trial in the traveling connection does not materially change the ecclesiastical standing of the local preacher. His status is that of a local preacher still—a local preacher on trial. His amenability for his moral and Christian character continues with the District or Quarterly Conference; but the necessity of having his license renewed is superseded, as his continuance on trial by the Annual Conference is equivalent to the renewal of his license. His examinations, also, on the local preacher's course, are superseded by his required

examinations in the course for traveling preachers.

This tentative relation of the local preacher on trial to the traveling connection deprives him of no right that belongs to him as a local preacher. If he had been licensed three years at the date of his admission on trial he is still eligible to the office of a deacon at the end of the four years—that is at the end of the first year on trial; but the same recommendation from the District or Quarterly Conference is necessary, and his examination on the first year's study for traveling preachers is equivalent to the examination on the last year of the course for local preachers. If he finds himself unready or disinclined to enter into full connection in the traveling ministry at the end of his second year on trial, and is discontinued, he may be elected and ordained elder at the regular time under the rule for local elders, that is, in four years after ordination as deacon. The time spent in traveling counts the same as if he had not traveled when he ceases to travel without advancing to full connection.

There is nothing in the law of the Church distinguishing the duties of deacons and elders in the local relation from the duties of travel-

ing deacons and elders. So far as concerns the peculiar functions of the deacon and elder in the administration of the sacraments and ordinances of the Church, those in the local ranks are precisely equal to those who are in the traveling connection. The form of ordination is the same, the vows are the same, and the rights and obligations are the same so far as ordination is concerned.

The amenability of all local preachers, whether ordained or not, is to the District or Quarterly Conference. If accused of improper or immoral conduct a preliminary investigation may be had by the preacher-in-charge before a committee of local preachers, but such investigation is not a trial, and can not make final disposition of the charges. The ordination of local deacons and elders does not remove them from the jurisdiction of the Quarterly or District Conference. While they do not need the annual renewal of their licenses, and can not be deprived of their ministerial office, except for cause, and by due process of trial, they must submit to the annual examination of character, without which they forfeit their right to exercise their office. But the elaboration of these matters belongs to another place.

TRAVELING PREACHERS.

In one sense all who are regularly employed in circuits and stations, doing pastoral and other ministerial work, are traveling preachers. Strictly speaking, however, only those are traveling preachers who are members of an Annual Conference in full connection. Preachers on trial, and those employed as "supplies," may travel circuits and do all the work of traveling preachers, but still they are not traveling preachers in the technical sense. This word "traveling" is becoming more and more a technicality, as many who are included in the descriptive term do but little traveling, otherwise than in moving from one charge to another. The word describes a relation which is held only by members of the Annual Conference.

Preachers who have been admitted on trial, and do the work assigned them for two years, and pass the prescribed examinations, are admitted into full connection, and elected and ordained deacons. They are then entered as "traveling deacons of the first class." After another year of service and an examination on the third year's course of study, if approved by the conference, they are advanced to the

class of "traveling deacons of the second class." In one more year they are examined in the fourth year's studies, and are elected and ordained elders. This completes the processes of examination and ordination, and brings them into the list of effective traveling elders.

It is not strange that a desire to shorten the time of advancement to the full grade of traveling elders has sometimes appeared, and in some instances the abridgment of time has been allowed. When persons have been admitted to the office of deacon before the expiration of the two years of probation, and have read up so as to pass examinations on two years of study at one Conference session, they have been ordained elders in two years after ordination as deacons, although their first ordination was under the rule for local preachers. The construction of the law allowing this is very liberal, if not somewhat forced. In strictness of interpretation it can only be said that he is a "traveling deacon" who is in full connection; and as the law requires that the office of traveling deacon be exercised two years before the person is ordained elder it looks as if the intention of the law was to hold the candidate back till he has been in full connec-

tion two years, and has passed examination not only in all the books of the four years' course, but the four annual examinations. But this rigid—and we must say fair—construction of the law, sometimes works hardships under the modern practice of appointing young men to stations and single-handed circuits, and the bishops have accepted the most liberal interpretation the language will permit. Where young men show competency, and are successful in study and in work, having been ordained deacons on or before being admitted on trial, their exercise of the office of deacon while traveling as probationers is accepted as meeting the requirement of the Discipline that they shall exercise the office of "traveling deacons" for two years before becoming eligible to ordination as elders; and upon passing the examinations in the four years' course of study, with the approval of the Annual Conference, they are ordained elders at the time they are admitted into full connection. If ordained deacons at the end of the first year on trial they are ordained elders one year after admission into full connection. The difficulty in this administration is not so much in the exercise of the office of "traveling deacons" before becoming members of the Conference

as in shortening the time of the examinations to a period of less than four years. The bishops are aware of the strain employed in the interpretation of the law in allowing this abridgment of time; but in conformity to the wishes of the Annual Conferences charged with the duty of applying the law, and in the interests of the young men who prove themselves worthy of the advancement, and of the Churches needing the services of elders, they give the liberal construction, and will probably do so till the General Conference takes action forbidding or authorizing this practice. These, of course, are the exceptional cases, the regular order requiring four years of service to reach the standing of traveling elders. (Note 29, Appen.)

RECEIVING INTO FULL CONNECTION.

The act of receiving preachers into full connection is not less serious than the act of ordination. It is the transition event in the life of the minister. In it he passes from the status of the local preacher on trial to the grade of an itinerant invested with all the rights, immunities, and responsibilities of membership in the traveling ministry, including membership in the Annual Conference, with an unquestionable title to an appointment so

long as he is able to fill one, and maintains a character unimpeached in the order of the Discipline. In coming into this relation he not only performs the service of two years on trial, and passes the required examinations in the course of study, but he answers the questions prescribed in the Discipline in open Conference, and does this as a condition precedent to his admission. These questions relate to his experience as a Christian, to his doctrinal views, to his loyalty to the Church, to his consecration to the work, and to his manner of doing the work required. They are the basis of the contract into which he enters with the Church, and become stipulations in the solemn covenant in which he pledges fidelity to God and to the Church, and accepts the responsibilities which this relation carries along with it.

No one can come into full connection without answering these questions and entering into this covenant. Missionaries in foreign lands where there is no Conference must answer them in the presence of an annual meeting, or of a bishop, or of the superintendent of the mission; and ministers coming to us from other Churches, whatever their experience or learning, must answer them in the presence of the Conference, the same as those coming in

from probation. There are, however, no answers prescribed for these questions. Each answers them for himself, according to his own judgment and conscience. If a candidate does not refuse to answer, but answers in a way that is not as the Conference would prefer, the Conference is not thereby bound to reject the person, but may consider the answers together, and the spirit of the applicant, and his general qualifications, and admit him if they are satisfied to accept him with the answers given. In other words, the answers to these questions are to be taken as factors in making up the decision. The Conference must decide for itself whether the failure to give the answer desired shall be a reason for rejecting the candidate. Of course, the Conference will not receive one if his answers to the main questions, relating to experience, and soundness of faith, and loyalty to the Church be defective. Some of the questions are of minor importance after the principal ones have been answered satisfactorily, and the Conference is not bound to reject a candidate because of peculiar notions about incidental matters, if he is right in the great things that concern character, and devotion, and loyalty.

RECEIVING FROM OTHER CHURCHES.

Provision is made in the Discipline for receiving ministers from other Churches who may offer to unite with us, and to recognize their standing without repeating their ordination. This provision is liberal, and yet it is restricted to those who come from Churches accounted evangelical. Unitarians, Universalists, and Roman Catholics are not included. The Unitarians are excluded because of defective doctrines relating to the person, office, and work of Christ. Universalists, because of erroneous teaching concerning the essentials of Christian experience, and the denial of essential truth in regard to the future judgment and retributions, as well as the conditions of salvation. The Roman Catholics are not accounted evangelical because they have departed from the simplicity of the Gospel, imposed conditions of salvation the Bible does not impose, perverted the sacraments, buried the truth they hold beneath the rubbish of traditions and ceremonies, destroying its vitalizing power, and rendering the Word of God of none effect through vain superstitions. Their ordinations are rejected not only on the ground of their general apostasy from the

pure Gospel and their abounding idolatries and superstitions, but because they have perverted the whole ministerial office, and ordain men to a priesthood unknown to the New Testament, with functions at variance with the Gospel, inconsistent with apostolic customs and teachings, and necessarily Antichrist in substance and tendency. They do not ordain men to the Gospel ministry, but to a priestly office, which we reject as utterly unauthorized.

The first provision is for receiving ministers from other Methodist Churches. These have a slight preference in form. We give them full credit for the standing acquired in the Church from which they come, and do not require them to repeat the ordination vows. The Quarterly Conference may receive them as local preachers, and recommend them to the Annual Conference for the recognition of their ordination, which recognition will authorize them to exercise their functions in our Church, the same as if they had been ordained in it. Those who had been in the itinerancy, and desire to come into it in our connection, upon giving satisfaction that they were in good standing in an Annual Conference until the time of their dismissal from it, may be admitted by an Annual Conference, either on trial or into

full connection, at the option of the Conference, and have their ordination recognized without ceremony, after giving satisfaction as to their literary and other qualifications for the ministry. It often occurs that such ministers desire to sever their connection with their Churches and come into ours at a time when the Annual Conference is not in session, and to wait for acceptance till the Conference meets would subject them to much inconvenience. The special provision is therefore made that they may be received by the Quarterly Conference as local preachers, and be continued in that relation till the Annual Conference, and this reception and continuance as local preachers shall not be a bar to their reception into the Annual Conference as traveling deacons or elders, provided they come duly recommended from the Quarterly Conference. This proviso is important, since the certification of their good standing in the other Church has grown old, and their connection with our Church as local preachers may have lasted for several months. The recommendation from the Quarterly Conference covers the ground and makes the connection complete.

The second provision is for receiving min-

isters from other evangelical Churches. Formerly there was a distinction made between those other evangelical Churches which agree with us in doctrine and such as do not. Those agreeing with us sufficiently to be thus distinguished are the Protestant Episcopal, the Reformed Episcopal, the Moravian, the United Brethren, and the Evangelical Association. The last two named are sometimes classed with other Methodist Churches, and with some reason, although, strictly speaking, they are not of us. But this matter is now changed, and properly so, since the persons coming, whatever the peculiarities of the creed they give up, accept our doctrines as well as our polity. Our Discipline, therefore, speaks in general terms of "other evangelical Churches." The language is: "If ministers come to us properly accredited from any other evangelical Church they may be received by the Quarterly Conference as preachers not entitled to administer the sacraments; and the Annual Conference, being satisfied as to their qualifications for the ministry, and of their agreement with us in doctrine and discipline, may recognize their orders, on condition of their taking upon them our ordination vows, and may also admit them either on trial or into full connection."

It will be noted that the Quarterly Conference is not now authorized to recognize the ordination of any who come from other Methodist Churches; but it may receive them "as preachers not entitled to administer the sacraments." All must go to the Annual Conference in order to secure the recognition of their ordination, so as to be entitled to administer the sacraments in the Methodist Episcopal Church. The provision is not made in terms that those coming from "other Evangelical Churches" shall bring recommendations from the Quarterly Conference, but it is clearly implied in all cases where they first come into the Church through it, and become members of it as preachers.

If ministers coming from "other evangelical Churches," whether Methodists or not, come directly to the Annual Conference, with proper testimonials of good standing, they may be received on their credentials, and according to their credentials, and have their ordination recognized, and be admitted on trial or into full connection, without any Quarterly Conference action. Of course, those from other than Methodist Churches will be required to take our ordination vows, in the presence of the Conference, without the imposition of hands.

The "credentials" required are not the ordination papers. These may be returned to the body that gave them. We want something that will certify to the fact of their ordination, of course, but that will be included in any testimonial to their good standing as ministers; and the certification must be to their good standing down to the date of their dismissal, which the certificate of ordination can not be, as it may be six, ten, or twenty years old, according to the time they have been in the ministry. If they come from Churches that will not give official certificates of dismissal, personal letters from known ministers, or other persons of good reputation, or even oral testimony and vouchers, may be accepted, where the parties come from no great distance or where their general character and standing are known to the public. The real requirement is that the Conference be satisfied as to the applicant's standing and fitness.

The Annual Conference may receive ministers from other Methodist Churches who desire to come into our Church, to sustain a local relation, without becoming pastors or joining the traveling connection, and recognize their orders, without Quarterly Conference action, although it is more regular for

such to make their application to the Quarterly Conference, and be received and recommended there. But, as above shown, all who come into our ministry must come to the Annual Conference for the recognition of their ordination, even though they desire only the local relation.

RESTORING PARCHMENTS.

Ministers sometimes surrender their parchments, which are the evidence of their ordination, and also the commission they bear from the Church to perform the functions of the ministry. If they withdraw from the Church, or are deposed or expelled, their parchments are forfeited, and deposited with the secretary of the Annual Conference, the custodian of all papers belonging to the Conference. The Discipline, instead of requiring a reordination, when such parties are restored to our ministry, provides for the return of the old parchments, which become valid by the vote of the Conference.

The first step in the process of restoration to the ministry is to become a member of the Church, if the party is out of the Church either by withdrawal or expulsion. The next is to receive license to preach by the District

or Quarterly Conference. This done, the recommendation from the District or Quarterly Conference to the Annual Conference having possession of the parchments is the next step. It is premature to send the recommendation to the Annual Conference for the restoration of certificates of ordination before the applicant is formally licensed to preach. Parchments are not given to laymen in the first place, and the license to preach places the man in the relation in which he stood when he was first ordained. No other Annual Conference can restore parchments, or renew the office of deacon or elder, except the one in whose custody the forfeited parchments have been lawfully placed.

Ministers withdrawing, and wishing to retain parchments, can not do so unless the President or Secretary of the Annual Conference shall write plainly across the face of the document the date of the withdrawal, and the fact that it is no longer valid. This applies to those who withdraw to unite with other Churches, as well as to those who, withdrawing from the ministry, wish to remain members of the Methodist Episcopal Church.

Chapter V.

BOARDS AND COMMITTEES.

THERE is a large part of the pastor's administration to be effected in connection with the several boards of the Church, and the committees authorized to be appointed by the Quarterly Conferences.

The first, and not the least important, of the official meetings to be held is designated in the Discipline,

"THE LEADERS AND STEWARDS' MEETING."

This is composed of all the leaders and stewards of the charge. In places where circuits are large, and there are several congregations organized at distances remote from each other, leaders and stewards' meetings are held at different places, with only those who can be conveniently called together. This practice has prevailed to such an extent that it can not be considered unlawful. But in the

stations and the smaller circuits there is no reason for departing from the letter of the Disciplinary provision on this subject.

The practice of making this a sort of general meeting of the officiary of the charge has become very common, and business quite foreign to that which is proper for the leaders and stewards' meeting is transacted. Local preachers, exhorters, and trustees, who are neither class-leaders nor stewards, have been allowed to sit as members and participate in the proceedings. This custom is not to be approved, and should not be continued. A strict construction of the Discipline in this regard is better, and under such construction it is plain that only leaders and stewards are members of this meeting. The following is the law:

"¶ **101.** The Pastor shall, as often as practicable, hold a meeting of all the Leaders and Stewards of the Circuit or Station, to be denominated the Leaders and Stewards' Meeting, in order to inquire, 1. Are there any sick? 2. Are there any requiring temporal relief? 3. Are there any who walk disorderly and will not be reproved? 4. Are there any who willfully neglect the means of grace? 5. Are any changes to be made in the Classes? 6. Are there any Probationers to be recommended for reception into Full

Connection? 7. Are there any to be recommended for license to exhort or to preach? 8. What amount has been received for the support of the Pastor or Pastors? 9. Is there any miscellaneous business?"

It will be noted that this meeting is to be held "as often as practicable." There are times when it should be convened weekly, but ordinarily once a month is sufficient.

The business of this meeting is to look after the spiritual interests of the Church, and such financial matters as relate to the charities of the congregation, and also the support of the preachers, where other financial plans are not in operation to meet this demand. The order of business is indicated in the eight questions to be considered. These questions are supposed to be asked by the pastor for the purpose of eliciting information on the several subjects to which they relate, and it is the duty of any member of the meeting who is in possession of facts bearing on these questions to report them. The idea that it is the business of the pastor alone to report cases of sickness, destitution, delinquency, and disorderly conduct, is not to be entertained. It is not less the duty of the leaders and stewards to bring forward such information than of the pastor;

and, indeed, the primary purpose of the meeting is to bring these matters to the knowledge of the pastor. The latitude allowed or allowable under the ninth question should not be given too wide a range. Under the head of "miscellaneous business" it is well not to trench upon business which belongs to other boards or other meetings, but to confine attention to such matters as pertain to the work of the leaders or the stewards, and, therefore, comes here legitimately for consideration.

This meeting may be regarded as the pastor's cabinet, or privy council. Here he comes in contact with the spiritual leaders of his charge who are his constitutional advisers, set like himself for the defense of the Church, and consecrated to the promotion of its interests. In the intimacy of this fellowship he learns the real state of his charge, the points of weakness and embarrassment that exist, the necessity for special labors, warnings, and advices, in order to cure incipient troubles and delinquencies, and what, if any, measures should be adopted, in addition to the regular services of the Church, to meet the spiritual wants of the people. Here also the initial steps are taken to apply the provisions of the Discipline in cases of persistent unfaithfulness and disor-

derliness. In this meeting the pastor examines the leaders in regard to their methods of conducting their class-meetings, and their successes, and his counsels, together with the interchange of thoughts and experiences that such interviews call out, can scarcely fail of being helpful to all concerned. Thus it appears that the leaders and stewards' meeting has wide enough scope, without drawing into it the business of the Quarterly Conference, the trustees, and the other boards of the Church.

THE STEWARDS.

The stewards are elected by the Fourth Quarterly Conference of the circuit or station; but any other Quarterly Conference for the year can fill vacancies or effect other needed changes in the board. There may be thirteen stewards in a charge, but this number is seldom needed, except in large circuits. Three is the minimum number, and does well enough in very small stations, but a board should not be considered as up to the requirements of the work with less than seven.

In the election of stewards the preacher-in-charge has the right of nomination. If he should waive this right, and permit the election to proceed on the nomination of other

members of the Quarterly Conference, the election would not be invalidated.

The General Conference has authorized an interpretation of the Discipline that will permit women to hold the office of steward. This is a provision to meet emergencies, and should be resorted to where the interests of the charge manifestly require it.

The stewards hold office for the Conference year, beginning with the adjournment of the Annual Conference, and continuing till the adjournment of the next session—or longer, if it should happen that their successors are not elected at the regular time.

The duties of the stewards are both spiritual and financial. They consult with the pastor and the leaders in matters pertaining to receiving and recommending probationers and members; they advise the preachers in regard to the times and places of preaching; assist in planning the circuit; provide the elements for the Lord's Supper, and have particular supervision of the funds for the poor. But their chief financial duty has reference to the support of the preachers. The following is the summary of their work as given in the Discipline:

"¶ **279.** The duties of Stewards are: to take an exact account of all the money or other re-

sources received for the support of the Preachers in the Circuit or Station, and to apply the same as the Discipline directs; to make an accurate return of every expenditure of money, whether for the Preachers or the poor members of the Church; to seek the needy and distressed in order to relieve and comfort them; to inform the ministers of any sick or disorderly persons; to tell the ministers what they think wrong in them; to attend the Quarterly Meetings and the Leaders and Stewards' Meetings of the Charge; to give advice, if asked, in planning the Circuit; to attend Committees for the application of money to Churches; to give counsel in matters of arbitration; to provide the elements for the Lord's Supper; to write circular letters to the Societies in the Circuit exhorting them to greater liberality, if need be; and also to let them know, when occasion requires, the state of the temporal concerns of the Charge."

This outline needs no explanation. It is clear and comprehensive. A pastor seldom finds any thing more discouraging than a careless or inefficient board of stewards; and it needs scarcely to be said that a faithful board is his right arm of power. They are men who "both know and love Methodism"— not only as an organization, with fixed doctrines and usages, but as a spiritual power, inculcating the highest forms of Christian life, and seek-

ing the elevation of the people in all spiritual wisdom and purity. They ought to be men of solid piety, of ripe experience, of devout spirit, and blameless lives. They should be examples of zeal and steadiness in the spiritual work of the Church, as well as in the systematic discharge of the duties of their office. As a board, they have no duties that require stated meetings, except as called to act in connection with the leaders and the Quarterly Conferences.

The recording steward is not, *ex officio*, secretary of the leaders and stewards' meeting, nor of the Quarterly Conference, nor, indeed, of any meeting; but, having possession of the various records and documents, and being accustomed to the forms of business, he is very properly chosen to act as secretary, and also as treasurer of the funds that belong to the stewards. He is chosen by the Quarterly Conference from among the stewards

The district steward is likewise chosen by the Quarterly Conference from among the stewards, and it is not lawful for the Quarterly Conference to elect any one for district steward who is not a steward of the circuit or station. The duties of district stewards are fully described in ¶ 290 of the Discipline.

TRUSTEES.

The trustees are chosen by the Quarterly Conference, except in those States and Territories where the law prescribes a different method of election.* Formerly the Discipline spoke of trustees of the circuit or station in such way as to imply that only one board was required for a pastoral charge, as is the case with the stewards, but this interpretation was not often adopted, and now the language corresponds with the practice of having more than one set of trustees where more than one piece of property is held. While it is lawful to have several boards of trustees in a pastoral charge, it is not wise to multiply these unnecessarily. In many instances, particularly in the stations, it is both practicable and desirable to have all the property of the charge—church and parsonage—held by a single board. The advantages of this are obvious.

The official duties of the trustees are all secular, relating to the property of the Church. They hold the titles to the grounds belonging to the Church, whether for meeting-houses, school-houses, or parsonages; and it is their duty to see that the titles are good, in proper form under the Discipline and the statutes, and properly recorded.

* See Note 31, Appendix.

It is because of the secular character of the work of the trustees that it is lawful to elect to this office men who are not members of the Church; and it is because of the responsibilities of trustees in relation to titles and finances that persons under twenty-one years of age are ineligible to this office.

The trustees act officially only when they act as a board. In other words, individuals who are members of the board can not, by personal action, bind the board or determine for it a policy. Where the authority of the board of trustees is required, it can not be assumed or exercised by any one, or by any number of the members, without the official action of the board.

Each board should have a chairman, secretary, and treasurer; and these chosen by the board itself. In the meetings of the board the pastor may preside by courtesy, if present; and it is proper that he should attend as often as is practicable, for he has supervision of all the temporal and spiritual interests of his charge, and needs the information gained by the most intimate relations with all the official transactions of the several boards of the Church. But the pastor is not a trustee, and has no function to perform in that body by reason of

his position as pastor. In view of its secular duties and responsibilities this board should be a complete organization within itself.

The temporalities over which the trustees have jurisdiction do not include the support of the preachers. This board, as a board, has no voice or function in that direction. Its work is to hold, control, and care for the property of the Church, and all this in trust for the Church, and in obedience to the Discipline. The stewards care for the finances involved in the support of the preachers and the charities of the Church, in giving relief or help to the poor, while the trustees create and care for the property. It, therefore, belongs to the trustees to make all expenditures for repairs, improvements, renovations, fuel, light, and services of janitor. In a word, whatever moneys relate to the Church property, for buying, building, and keeping the same in running order, and other services rendered in this line, are under the control of the trustees.

This control of the Church property is necessarily limited. The trustees may not divert the funds under their management to other objects than those for which they were committed to their care. They can not alienate

the property of the Church so as to defeat the purposes for which it was acquired. They can not prevent the use of the church edifices of the denomination by the ministers appointed under the authority of the Church to preach the Gospel therein, and conduct the public worship of God according to the requirements of their pastoral relation. The supreme object of the creation of the board of trustees, and their first duty is to keep the church in condition to be thus used by the ministers regularly appointed. Any personal or general dissatisfaction that may exist in the congregation with any preacher regularly appointed will not authorize the board to close the doors against him or to interfere with him in any way in the performance of his duties.

The trustees are amenable to the Quarterly Conference, and subject to its authority; and yet the Quarterly Conference has no right to close the doors of the Church against a minister properly appointed, and can not authorize the trustees to do it, much less require such action. In this regard the Discipline is the authority, and its provisions would be enforced by the secular courts, in case of a contest, against trustees and Quarterly Conferences. Neither is it lawful for the congrega-

tion as a whole to shut the pastor out of the house of worship to which he has been assigned; for the authority of the denomination is greater than that of a single congregation. In a word, the right of the pastor to occupy the house of worship is secured to him by the fundamental law of the Church, and if the people can not hear him with good conscience, they can only absent themselves and withhold support, and this at their own risk, till a lawful change is made.

The trustees, being custodians of the Church property for the purposes specified in the Discipline, are not at liberty to use it or permit it to be used for purposes at variance with the rules and regulations of the General Conference in the intervals between the services conducted by the pastors. The pastor is the representative of the denomination in his charge, and the house of worship should not be used for any purpose whatever in opposition to his wish or without his consent, whether it be for lectures, addresses, concerts, schools, exhibitions, or entertainments under secular or religious auspices. It is the house of God, solemnly dedicated to sacred uses, under the direction of the pastors of the Methodist Episcopal Church.

A man may be a trustee in different places at the same time, even in other charges than the one in which he holds his Church-membership; but being a trustee does not make him a member of the Quarterly Conference. He can only be a member of one Quarterly Conference, and that must be where he has his membership in the Church.

When a trustee removes by certificate from the charge in which he has been in the office, his removal does not necessarily create a vacancy in the board; but since it is optional with the Quarterly Conference whether it will or will not have a trustee in service who is not a member in the charge, the removal of a trustee from the bounds of the circuit or station is good reason for declaring the place vacant, and filling it by the election of another person. In the ordinary course of things, the removal of a trustee from the charge may be regarded as a resignation of his office, unless he is in joint security, or in some other way related to the business of the board, so as to render his continuance in office necessary or especially desirable.

A trustee who is elected as a member of the Church, and withdraws or is expelled before his term expires, vacates his office, as only

a limited number may be in the board who are not members, and that by the direct action of the electing body. If there should be only two-thirds of the board who are members, and one of that number should cease to be a member, and yet retain his office, the validity of the board would be destroyed; for the Discipline specifically requires that a majority of two-thirds of each board shall be members of the Methodist Episcopal Church.

The law, requiring from each board of trustees an annual report to the fourth Quarterly Conference, is explicit and binding. The neglect of this duty is a serious dereliction.

OFFICIAL BOARD.

This phrase, although new in the Discipline, is not new in usage with the preachers and members of the Church. It has gradually come into use, and is now adopted as legitimate, and calls for consideration as to its scope and meaning.

The General Conference of 1884 adopted a provisional rule, which, as since modified, reads:

"¶ **102.** The Quarterly Conference of any Charge may organize, and continue during its

pleasure, an Official Board, to be composed of all the members of the Quarterly Conference. In the case of circuits the Quarterly Conference may organize, and continue during its pleasure, Official Boards for the several appointments of the Charge, such Official Boards to be composed of the members of the Quarterly Conference attached to the respective appointments. The Official Board may hold its meetings at such times as it may determine, and shall be presided over by the Pastor, or, in his absence, by a chairman elected by the meeting. When so organized the Official Board may discharge such duties as the Quarterly Conference may from time to time direct, including those of the Leaders and Stewards' Meeting. The Board shall keep a record of its proceedings, and send the same to the Fourth Quarterly Conference for approval.

It will be seen that it is left to the choice of the Quarterly Conference of each circuit or station whether it will have an "Official Board" or not. No charge is obliged to have one unless the Quarterly Conference shall desire it; and, of course, it can not be organized till it is authorized by the Quarterly Conference; and, being organized, it can only be contin-

ued during the pleasure of the Quarterly Conference.

The "official board" comes into the machinery of the Church in this tentative way, and as yet the provision made for it is a little crude. This much, however, is plain—it is not intended to displace the leaders and stewards' meeting, but only to relieve it of some of its burdens. It is, in effect, the Quarterly Conference in another form, without the presiding elder, and without the authority which that body possesses. It may consider all the questions that belong to the leaders and stewards' meeting; namely, "Are there any sick?" "Are there any requiring temporal relief?" etc. The conclusion follows that it may devise measures for visiting the sick and relieving the needy. It may consider the question of the leaders' meeting, "Is there any miscellaneous business?" This opens a wide field, but not so wide as to permit interference with the duties of preachers, leaders, stewards, or trustees, required to be performed in other connections. The Official Board may also devise and carry into effect suitable plans for providing for the finances of the Church. This is its important function. It is the financial meeting of the charge.

It becomes the helper and adviser of the stewards and trustees in their respective duties and work, but may not supersede them.

This Board may also "discharge such duties as the Quarterly Conference may, from time to time, direct." Under this provision it may usefully co-operate in the benevolent collections, in temperance work, in promoting the cause of Sunday-schools, domestic missions, and church building. It will find enough to do without going beyond its sphere; and yet much carefulness and skill will be required to prevent the work of the other boards from drifting into this larger and more general meeting. Its safety will be found in adhering to the lines of work committed to it by the Quarterly Conference, and in faithfully reporting all its doings to the fourth Quarterly Conference for approval.

SUNDAY-SCHOOL UNION AND BOARDS.

These boards are now lawful parts of Church organization, and must receive the attention and hearty co-operation of every pastor. The following is the Disciplinary provision:

"¶ **343.** For the moral and religious instruction of our Children, and for the promotion of Bible knowledge among all our people, etc.

¶ 346, § 1. Every Sunday-school of the Methodist Episcopal Church shall be under the supervision of a Sunday-school Board, and shall be auxiliary to the Sunday-school Union of the Methodist Episcopal Church.

"§ 2. The Sunday-school Board shall consist of the Pastor, who shall be *ex officio* Chairman, the Sunday-school Committee appointed by the Quarterly Conference, the Superintendent, the Assistant Superintendents, the Secretaries, the Treasurer, the Librarians, and the Teachers of the School. In case of the withdrawal of Officers or Teachers from the School, they shall cease to be members of the Board.

"**¶ 347,** § 1. The Superintendent shall be nominated annually by the Sunday-school Board, and confirmed by the Quarterly Conference at its next session after such nomination; and in case of a vacancy, the Pastor shall superintend or secure the superintending of the School until such time as the Superintendent nominated by the Sunday-school Board shall be confirmed by the Quarterly Conference.

"§ 4. The other Officers of the School shall be elected by the Sunday-school Board.

The composition of this board shows that the Church is well represented in the management of the Sunday-school, as it ought to be. The theory of the Discipline is that the Quarterly Conference shall have jurisdiction of all

our Sunday-schools, and this plan of organization carries out that idea, and makes it practical. The board, as a whole, is the creature of the Quarterly Conference, except that the pastor is *ex-officio* president. The Quarterly Conference committee is an important section of the board, and the superintendent of the school is confirmed by the Quarterly Conference, and may become a member of that body. Thus the supervision of the Quarterly Conference is thoroughly secured.

There should be a Sunday-school board for each Sunday-school in the circuit or station. The composition of the board, including the officers and teachers of the school, necessitates this interpretation, and this indicates the duty of the Quarterly Conference to appoint a committee for each school under its supervision.

It is the duty of the board to nominate the superintendent, and not merely its right, if it wishes to do so; and this duty should be performed with due regard to the rights of the Quarterly Conference, considering its time of meeting, and giving opportunity for its members to act understandingly in the matter of confirming or disapproving the nomination.

The nomination of a superintendent by the board does not authorize the person nominated

to enter upon the duties of the office before his confirmation by the Quarterly Conference; but the pastor, being responsible for the superintendency of the school while the office of superintendent is vacant, may appoint the nominee of the board, and under this appointment he may do the work till the Quarterly Conference meets. If the nomination made by the board fails of confirmation the person acting under appointment of the pastor should desist, as it is not becoming that one should continue to superintend the school whose confirmation has been refused by the Quarterly Conference.

It is not optional with our Sunday-schools to organize under the board, or to choose an organization of some other kind; nor is it optional with them to become auxiliary to the Sunday-school Union of the Methodist Episcopal Church. The language of the Discipline is not advisory but imperative: "Every Sunday-school of the Methodist Episcopal Church shall be under the supervision of the Sunday-school Board, and shall be auxiliary to the Sunday-school Union of the Methodist Episcopal Church." The Sunday-school is, therefore, a Church organization, and an important agency in the working forces of the denomi-

nation. In an ecclesiastical sense we know nothing of Sunday-schools that are not distinctively denominational. Our pastors are reminded of this and urged to carry out the provisions of the Discipline in this regard. The connection of our people with schools which are not under our jurisdiction should never be more than a temporary arrangement, except so far as isolated families may find it convenient and expedient to patronize the schools of other denominations.

The literature of the Sunday-school is an important feature, and neither library books, nor lesson helps, nor other papers should be introduced into the school without the approval of the pastor, who, with the aid of the superintendent and Quarterly Conference committee, and such others of the officers or teachers as he may select, should examine all books and papers proposed, and pass judgment on their fitness before they are placed before the children and patrons of the school. As the schools are strictly under the "rules and regulations" established by the General Conference, the literature provided for them by the Church is to be preferred before any other.

Every Sunday-school in the Church ought to be organized into a Sunday-school mission-

ary society, and the pastor should secure the co-operation of the board to this end.

The attention of pastors and presiding elders is called to the provisions of the Discipline in ¶¶ 348, 349. These wise arrangements faithfully carried out will insure success in all the objects of the board, and prove remunerative in spiritual results. They look to garnering the fruits of Sunday-school efforts in the building up of the Church, and the salvation of those brought under the influence of the Gospel through this instrumentality. The Church is looking for these results with greater solicitude than at any period in her history. The possibilities of childhood conversion and childhood usefulness are yet scarcely appreciated, but the improvements in Sunday-school organizations and facilities, and the recognized necessity of enlisting the children in active Christian service before the aggressive forces of worldliness sweep them into the perilous whirl of sin, are laying the subject on the heart of the Church with increasing weight and increasing hopefulness.

It is desirable that the ordinary expenses of the Sunday-schools be borne by the congregation, so that the contributions of the children may go into the benevolences of the Church.

STANDING COMMITTEES.

Under the provisions of the Discipline it is the duty of the Fourth Quarterly Conference in every circuit and station to appoint committees on the following subjects: missions, Church extension, Sunday-schools, tracts, temperance, education, Church records, parsonages and furniture, Church music, and on estimating allowances for the preachers and Conference claimants. Some of these committees will perform their work and report to the Conference at its next session, and others are working committees to co-operate with the pastor during the year. By reference to the appropriate paragraphs of the Discipline it will be seen that the preacher-in-charge is the chairman of the more important of these "working committees," and, of course, it is his duty to call them together and see that they are instructed in their work and incited to it. If these committees prove inefficient the chairman is seldom faultless in the matter.

It is due to committees authorized by the Discipline, and appointed by the Quarterly Conference, to be recognized by the pastor and called upon by him to perform their du-

ties. The design of the law can not be met if this is neglected. No general impression on his part, touching the general indifference of such committees, should excuse the pastor for disregarding the Disciplinary plan of enlisting the laymen in the benevolent work of the Church; nor should his personal persuasion that his own efforts will meet the demand, without calling the committee to his assistance, justify him in neglecting to avail himself of the counsel and help they could afford.

Beyond the matter of bringing up the collections for the benevolent objects on which the committees are appointed, is the interest excited in the congregation by the employment of laymen in these lines of work. The activity of the committees is to be an educational process in developing in them the spirit and power to work, and in diffusing the intelligence which will necessarily be spread abroad by their agency. However successful the pastor may be in the simple matter of raising the collections, he fails greatly in permanent usefulness to the Church if he does not render efficient this educational design of the appointment of these committees. The successful man is the one who organizes the working

forces around him, and so systematizes the machinery of the Discipline that the benevolent work will go forward in his Church in his absence as in his presence.

The Committee on Music, in particular, is charged with such important and delicate duties that the pastor will do well to keep in constant communication with its members, and see that it exercises the authority committed to it with diligence, carefulness, and fidelity. It must be consulted in the selection of music, as well as in the employment of organist and singers, and in all its duties the presence and counsel of the pastor is a necessity. This is the Pastor's Committee. He can dispense with its services if he wishes, and yet he should not ignore its official advice if he has it appointed. But his decision in matters relating to its duties is final. It may not overrule him with regard to the order of worship, or the character of the music or the hymns to be used in any service.

Chapter VI.

RITUALISTIC.

THIS term is used here to signify all the services of public worship. In any strict sense the Methodist Episcopal Church is not ritualistic; and yet from the very beginning we have had some forms which we cherish and regard with high esteem, not only for their excellence and appropriateness, but also for their historical associations and memories.

PUBLIC WORSHIP.

The Discipline indicates the desirableness of having uniformity in our services throughout the connection. Some of our preachers do not seem to feel the importance of this, and so far disregard the Discipline as to establish an order of their own, sometimes quite different from that given by authority. It is not pleasant to ministers whose duties call them to travel through different sections of the country, to be compelled, when they fill the pulpit in a strange place, to ask the order to

be observed, or run the risk of producing embarrassment by reading the Scriptures when the people expect singing, or by proceeding to prayer when the people are looking for singing or for the Scripture lessons. The only way to avoid this awkwardness is for all our congregations to follow the order given in the Discipline, which is as follows:

"¶ **56.** In order to establish uniformity in public worship among us on the Lord's-day,

§ 1. We earnestly recommend the following Order of Morning Service:

[N. B.—Parts inclosed in brackets may be omitted.]

1. [VOLUNTARY.]

2. SINGING from the HYMNAL, the People standing.

3. [The APOSTLE'S CREED.]

4. PRAYER, concluding with the Lord's Prayer, repeated audibly by all, both Minister and People kneeling.

5. [ANTHEM.]

6. LESSON from the OLD TESTAMENT, which, if from the Psalms, may be read responsively.

7. [The GLORIA PATRI.]

[Glory be to the Father, and to the Son, and to the Holy Ghost; as it was in the beginning, is now, and ever shall be, world without end. Amen.]

8. LESSON from the NEW TESTAMENT.

9. COLLECTION and NOTICES.

10. SINGING from the HYMNAL, the People standing.

11. SERMON.
12. SHORT PRAYER for a blessing on the word.
13. SINGING (the People standing), closing with the DOXOLGY.
14. The APOSTOLIC BENEDICTION.

This order should prevail in every Methodist congregation. If special occasions require special modifications, these can be made at the time, and the people so notified that confusion will not ensue. There ought to be but one break in the exercises, and that for the collection and notices, which should occur after the introductory services are all through, except the second hymn.

The amount of singing can not be determined by fixed rule. Much depends on circumstances. On ordinary occasions a voluntary is acceptable before the opening hymn is announced, and an anthem in connection with the collection. The order following the sermon is not laid down. A prayer at the conclusion of the sermon is very appropriate. Another hymn may be sung or omitted, according to circumstances; but whether the hymn is sung or not, the doxology and benediction are the appointed close of the service.

On the subject of singing in the congregation, the directions given in ¶ 57 (without

quoting), are earnestly commended to all concerned, as wise and wholesome. Let it be added that the standard Hymnal should always be used, unless occasionally in class and other social meetings. The taste for ephemeral songs, with popular airs, is easily excited, but its development is not conducive to solid piety. The standard hymns have in them substantial food for the soul, as well as beauty and sentiment. Nothing is gained, but often much lost, by displacing them.

Choir singing and instrumental music have become fixtures in our churches, and are not to be discouraged; but they are not to monopolize this branch of worship. Their proper use is to lead the congregation in singing, and this they ought to do, if some of their leading voices are obliged to sit with the people in the audience in order to induce them to join with the choir in singing. We should never forget that singing is worship, and that lightness and irreverence ought to be kept as far from the choir as from the pulpit.

The Discipline directs that the first prayer be concluded with the Lord's Prayer, the people joining in audible repetition of it. This is impressive and edifying when done without jarring. But the practice is not so common

as it ought to be. One reason is that few of the pastors urge it, or do their own part to encourage it. They often omit it, and close their prayers without any reference to it, assuming that to use it or not is a matter to be governed by their taste, or by their feeling at the time. Another reason is, and a serious one, that there is great lack of uniformity in using the words when the prayer is offered. There are, indeed, comparatively few who repeat the words precisely as they occur in the Ritual, and wherever the prayer is printed for public use. In this particular there is need of reformation among us. The question is not as to the relative merits of different terms, as whether "debts" or "trespasses" ought to be in the standard form; but it is a question of accuracy in repeating the words as given in our authorized ritual. This want of accuracy is a serious detriment to the service, which ought to be corrected. Some will omit the "and" where it ought to be used, and use it where it is not in the standards, while others substitute "those" for "them," and still others change "who" and "which." Attention is called to this matter not to indicate what form is actually best, but to insist upon accuracy in the use of the standard form.

The Discipline also directs that the congregations be dismissed by the use of the apostolic benediction. A word of exhortation is needed at this point. What sad work is often made of the benediction! One can scarcely tell in many instances whether it is meant for a prayer or a blessing. To many sensitive people the bungling manner in which this last service is rendered is a severe affliction. The real trouble is inattention to the nature and significance of this beautiful form of dismissing the assembly with a blessing in the name of God—inattention on the part of ministers. The design is to pronounce a blessing upon those who are present, and are about to depart. This indicates that only those present should be included or mentioned in the language employed. The common phrases, "be with you, and all the Israel of God, here and elsewhere," are superfluous, and out of place. The use of the two words, "communion" and "fellowship," in the same benediction, is not in the best taste. The use of words representing the "communion" or the "fellowship" of the Spirit, as "resting upon," or "resting down upon," or "abiding on," is not elegant. Words indicating the permanency of the divine presence and blessing, as "always," and "forever,"

are not objectionable; but the form, "now, henceforth, and forever," is redundant. The purpose of these remarks is to arrest attention to this matter, and that being done, the end is accomplished.

In connection with the Lord's-supper and other especially solemn occasions, the Disciplinary form of the benediction is appropriate, but it should be pronounced accurately. It is, "The peace of God, which passeth all understanding, keep your hearts and minds in the knowledge and love of God, and of his Son Jesus Christ our Lord; and the blessing of God Almighty, the Father, the Son, and the Holy Ghost, be among you, and remain with you always. *Amen.*" The following shorter form is quite sufficient for all the ordinary services: "The grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Ghost, be with you all evermore. *Amen.*" Any departure from these forms should be to use some one of the benedictions found in the Epistles, and then the precise words of the apostle should be recited without variation or addition.

BAPTISM.

The administration of baptism, whether in the case of children or adults, should never be

so hurried or informal as to deprive the rite of its proper significance and solemnity. The Church has provided a form for its administration, which is appropriate and impressive. It is not tedious and may be used in full, unless under unusual pressure for time. No one is at liberty to regard it as merely a form to be imitated or modified. Its essential parts should never be omitted.

As to the subjects of baptism the Church speaks definitely, though briefly. "Infant baptism is to be retained in the Church." It is enough here to say that this is Methodism. The theology of the Church on this point is found in the section of the Discipline on the "relation of baptized children to the Church." It is a clear, comprehensive, and sound statement on the subject. It bases the right of infants to the ordinance, not on their relation to believing parents, but on their relation to the kingdom of God by virtue of the unconditional benefits of the atonement.

We admit penitents to baptism. The apostles did so on the day of Pentecost. Many that were baptized that day were not yet converted, but only inquired the way of duty, and can not be regarded as more than penitent seekers. They were baptized "for the remis-

sion of sins," with the promise that they should afterwards "receive the gift of the Holy Ghost." Real penitents who have not been baptized ought to be exhorted to this formal surrender to God in the covenant bonds which this ordinance implies.

When persons unite with the Church on trial as seekers it is not at all necessary for them to wait till their period of probation expires in order to be baptized. They should be urged to this step without delay if they give evidence of earnestness in seeking the Lord. In many instances it proves helpful, and possibly decisive, in the effort to come to Christ for salvation.

Adult believers are also to be baptized—not, however, "for the remission of sins," as is the case with penitents, but because they have "received the Holy Ghost," as in the house of Cornelius.

The mode of baptism preferred in Methodism is pouring or sprinkling. Immersion is accepted as valid, but not preferred. The Church does not deem the mode essential to the validity of the ordinance. It gives the right of choice, as to the mode, on the ground that one mode is not so positively enjoined as to exclude the others, or to render them in-

sufficient. Baptism as a symbol represents the Spirit of God, and it does this more impressively, as we believe, in effusion than in immersion.

We call baptism a sacrament. This is not a Scriptural term, and we would not insist upon its use if any prefer to discard it. As a covenant act, binding the baptized to loyalty and obedience, and as an outward sign of an inward grace, baptism possesses all that is essential in the meaning of the word "sacrament," or all that the word itself expresses, unless its meaning has been modified or perverted in our conceptions by the unwarranted use made of it by Romanists and others. It is a badge of discipleship, a pledge of loyalty to Christ, and of obedience to the captain of our salvation, not less sacred than an oath of allegiance. We, therefore, accept the word without attaching to it any of the objectionable ideas that come from Romish usages and perversions. But we do not insist that the word sacrament is essential to convey the correct meaning of the rite, and do not insist that any shall use it if they have any scruples about it.

It is well to use the whole form connected with the administration of this rite, as before

remarked, unless very much pressed for time. This is certainly expected by those who seek baptism under our ministry, and their just expectation should not be disappointed. In particular is it important that the part containing the covenant pledges should never be omitted, and the prayers and Scripture lessons are always appropriate.

The baptism of adults should be in the public congregation, unless in peculiarly exceptional cases, but infant baptism in the family circle is appropriate and impressive.

The administrator will sometimes meet the question as to the lawfulness of re-baptisms, or whether he is permitted to baptize persons who, for some reason or other, are dissatisfied with a former baptism. It should be understood that the Church does not sanction re-baptisms. It sometimes happens that persons baptized in infancy grow up under influences that prejudice their minds against infant baptism, and they reach a point where they desire to receive the ordinance in another way, or so that they can personally respond to the covenant requirements. To gratify this desire, where there is no question as to the fact of the previous baptism, would not only tend to discredit the validity of infant baptism, but

open the way for endless questionings and doubts in relation to the sufficiency of past administrations, such as could only result in general confusion and disorder. Those who are baptized in infancy renew the baptismal covenant, and make it their own, when they come into full membership, and this is quite sufficient in the judgment of the Church, and satisfactory to all whose minds have not been biased by over zealous opposers of the Methodist usages. (Note 24, Appendix.)

The question comes in another shape in the experience of persons converted under our ministry who are dissatisfied with their baptism, not because it was administered in infancy, but because they were baptized by Romanists or Unitarians or the ministers of some organization which they now regard as apostate or unchristian. The Church has been liberal in recognizing the baptisms of other Churches, and will not on any account discredit the ordinances of any evangelical denomination; but it has not officially pronounced judgment upon the validity of baptisms in the Roman Catholic or Unitarian Churches. The practice has been to accept them where the party did not ask for baptism on coming into our Church. But if persons come to us, and object to their

former baptism in these Churches, and can not conscientiously believe themselves baptized, we give them the benefit of their doubts, and admit them to the ordinance. Baptism is the "answer of a good conscience," and yet the conscience is as liable as the judgment to be unduly biased. It will not do, therefore, to make every one's conscience the rule of action in this respect, although conscientious scruples are to be respected where they are based on reason rather than prejudice. The administrator will often find himself in such straits that his reserved discretion will be his authority, and his personal judgment on the merits of the single case before him his only guide.

THE LORD'S-SUPPER.

This service is one that must always elicit great interest on the part of the truly devout. Like baptism, we accept the word "sacrament" as indicating its nature, yet without the absurdities and superstitions the Romanists connect with it. The Discipline does not determine how frequently the Lord's-supper should be administered in each congregation. It proceeds on the supposition that all the members of the Church will have the privilege of receiving it once a quarter, and usage

in most of the stations gives it once a month. This is not too often, and special effort ought to be made to afford this solemn rite to all our people at least once in a quarter. To commune is both duty and privilege, and the membership should be exhorted to attend this service at every opportunity.

The form of the administration is determined as much by custom as by law. We attach no great importance to that which is merely external in the service; and yet uniformity in usage is desirable. So far as the Discipline or the Scriptures indicate, there is nothing very important in the attitude in which the communicant presents himself to receive the elements. We choose the kneeling posture, and yet permit any who wish to sit or stand, to do as they choose. In kneeling, we worship "the Founder of the feast," not the bread and wine. Our service asserts the material character of the elements — "these thy creatures of bread and wine." This is in protest against the Romish idea of transubstantiation. Every sentence in the service is expressive of some sentiment of importance, when properly interpreted. We, therefore, wish to have the prayers, confessions, consecration, and thanksgivings always used when

the rite is administered. The Discipline enjoins that the consecration shall not be omitted, and permits the omission of other parts only under exceptional circumstances. The rule is to employ the whole when at all practicable and reasonable.

The important question with the administrator is, "Who shall be admitted to this sacrament?" All members of the Church in good standing are invited and urged to partake. Members in good standing in other evangelical Churches are made as welcome as are our own members. It is pre-eminently a Church service, and therefore we do not invite any who are not in some Church. Those who share in this privilege must be under the watch-care of some one of the Christian denominations, so as to be known as professors of faith in Jesus Christ as the redeemer of men, and the only Savior, as well as amenable to some rightful Christian organization for their conduct in life. We use the phrase, "evangelical Churches," in the invitation to others than our own members, because that language includes all who agree with us in relation to the divinity of Christ and his sacrificial death, in a way to appreciate the service as we understand it. We do not invite Uni-

tarians, and others who discard the vicarious sufferings of our Lord, for the simple reason that they are bound to attach to the sacrament an entirely different meaning from that which we accept and believe to be essential.

This question has particular reference to our own probationers. We admit probationers to all the means of grace and all the spiritual advantages of membership in the Church. If they "do earnestly repent of their sins, and are in love and charity with their neighbors, and intend to lead new lives, following the commandments of God, and walking from henceforth in his holy ways," we can not consistently exclude them. If they have been baptized, especially, we need not require them to wait till admitted to full membership. That advancement in their relation changes their ecclesiastical status and rights, investing them with all the responsibilities and privileges of membership, without adding to their spiritual opportunities, but only confirming to them as a right what they had enjoyed tentatively as a favor, during the period of their standing in the Church as probationers.

It is believed to be the rightful order of things in the Church to administer baptism before the candidate is admitted to the Lord's-

supper, and there are few instances, indeed, where this order is not entirely practicable. We may, therefore, accept it as an order which the Church sanctions and prefers, and towards which our administration should look—and yet we do not hesitate to confess that this order is not so positively enjoined in the Scriptures as to render sinful any deviation from it under pressing circumstances.

It is asked, "If a probationer is admitted to this sacrament what does he lack of the rights of full membership?" It is not the intention that he shall lack any thing so far as the means of grace and helps to spiritual improvement are concerned. Being under the watch-care of the Church he is treated as a member in all things relating to divine worship; but, as above intimated, his rights are not confirmed to him, and in ecclesiastical matters he has not yet acquired any standing. He is not entitled to a trial, if accused, but may be dropped without it; he can not bring charges against an offending member; he can not hold office or exercise any franchise belonging to membership in the Church. Thus the distinction is broad between the probationer and full member without withholding any spiritual advantages from the former.

The General Conference recommends the use of unfermented wine in the Lord's-supper. This is an important recommendation in view of the great difficulty of securing a pure article of grape wine in any other way. A little care on the part of pastors and stewards will accomplish this, and avoid the administration of the horrible adulterations sometimes used. The "fruit of the vine" is the true emblem of the shed blood, and fermentation is not necessary to the completeness of the symbol. But a pure article of fermented wine is preferable to the decoctions of raisins, currant-juice, jellies, and sweetened water, sometimes prepared as a sort of make-believe. In this solemn service there should be no mixtures or adulterations, as there is no need that there should be if proper effort is made. The recommendation of the General Conference embodied in the Discipline is so positive that it amounts almost to a law of the Church. It is indeed a law wherever it is practicable. Let it be heeded as such, and let no pains be spared to make the communion service consistent, impressive, and edifying. Unleavened bread is preferable, and should be specially provided when practicable, for this service, although it is not mentioned in the Scripture as essential.

The bread used in the institution of the feast was undoubtedly unleavened, as it was the bread of the passover, which the law required should be of that kind.

MARRIAGES.

The solemnization of matrimony belongs to the ritual services of the Church. Marriage is treated as at once a civil compact and a religious rite. The latter feature is sought when ministers of the Gospel are called to perform the ceremony.

The form provided for this service in the Discipline is appropriate, and has the sanction of years and wide acceptance. It is to be preferred to any extemporized ceremony. When a Methodist minister is called to officiate, the presumption is that the standard form is desired, and the parties may be disappointed if some strange ceremony is substituted which the minister has devised for himself. Of course, abridgments to suit the circumstances may be made, so that the essentials, which bind the covenanting parties, and give the blessing of the Church, are neither left out nor seriously modified.

The Church authorizes all ordained ministers to solemnize marriages. Deacons, who

are invested with only part of the ministerial office, are allowed to perform this service. But the Discipline does not confer this right upon licentiates; therefore, no unordained preacher (except as below), should attempt to solemnize marriages. In some States the statutes apparently allow all preachers, who are licensed, to perform this ceremony; but it is doubtful whether any State has intended to confer this right on any one as a preacher, who has not been authorized by his Church so to officiate. The framers of the statutes have not always noticed the difference between regularly licensed and regularly ordained preachers, and many officers of the law do not know the difference between a license and a certificate of ordination. The presumption is that the State proposes to authorize whom the Churches authorize to solemnize marriages, whether the statute says "licensed" or "ordained." But whether the State does or does not intentionally authorize unordained preachers to solemnize marriages, the Methodist Episcopal Church does not, except in cases of unordained men being admitted on trial and appointed to pastoral charges. (Note 28, Appendix.) Waiting for ordination is sometimes an inconvenience to young men, but

it is an experience through which thousands have passed, and where there is no remedy in the Discipline, none should be sought in violation of law.

Ministers should be cautious about solemnizing marriages in the States where they do not reside. Many of the States do not permit persons who are not citizens or residents to perform this service within their limits. A scrupulous regard for the civil law in this matter is exceedingly important.

With regard to burying the dead, laying corner-stones, and dedicating Churches, there is no law to prohibit unordained preachers from officiating, yet it is becoming in all these things to defer to those who are ordained, if such be accessible. The ritual should be used, however, in all such services. Where the Church has judged proper to provide a form an individual can not set it aside and substitute one of his own without seeming to be presumptuous.

As a denomination we are not tenacious of forms, while on the subject of liturgies in general we have always avoided extremes. We do not discard them, but use such as are valuable in the administration of the sacraments, without making the sacraments depend

upon them for their validity. In the ordinary preaching services, where the Scriptures are read by order of the Discipline, it is optional with the preacher and the congregation whether there shall be responsive readings or not. The reading of a Psalm in concert is an appropriate exercise, which is profitable when done with spirit, and should never be objected to as a departure from Methodism by those who do not prefer to adopt the practice. It is not a subject on which there should be feeling or disputation, but liberty and charity. It is neither enjoined nor forbidden, but is authorized as within the discretionary power committed to the Church by the Discipline, and also in the apostolic exhortation, "Let every man be fully persuaded in his own mind." The last form of worship adopted by the General Conference specifically permits responsive reading, and the provision for it, and also for the recitation of the Apostles' Creed, may be properly taken as an "earnest recommendation" of both these exercises.

Part Second.

JUDICIAL ADMINISTRATION.

JUDICIAL ADMINISTRATION.

Chapter I.

THE ADMINISTRATOR.

EVERY pastor, whether he desires it or not, is an administrator of the Discipline, not only in the relations considered in the first part of this treatise—that is, in matters of a non-judicial character—but in such relations as call for the exercise of the judicial authority with which his office is invested. In this department of his work he finds his most serious and delicate duties, calling for all the wisdom and grace he may possess, and all the knowledge of the law and usages of his Church that he is able to acquire. Success here is not less important than in the more pleasing duties of his calling. And yet how few, comparatively, make it a matter of conscience to seek for thorough qualifications for this work!

Is it not true that too many ministers regard the administration of Discipline as an exceptional thing, or as an incidental something which may or may not call for careful consideration, and let all preparation for it pass till some emergency arises necessitating immediate action? Personal observation gives the impression that this is even so. Many appear to assume that the Discipline is only to be enforced in extreme cases, such as they hope will never occur in their charges, and seem to pride themselves in their skill in avoiding the disagreeable necessity of resorting to its ulterior methods. There is something commendable in the feeling which dreads litigation, and in the spirit which makes the duty of calling members of the Church to account a painful task; and yet there is danger of carrying this peaceable disposition to such extremes as to result in the breaking down of the authority of the Church, and the destruction of her influence in restraining the viciously inclined, and in protecting the interests of those who respect her teachings and honor her usages.

The pastor is of necessity a peacemaker, and expected to exert his influence to the utmost in allaying strifes and securing harmony

and fellowship among his people. The neglect of this is criminal; and yet a thorough knowledge of the forms of proceeding under the Discipline when occasion requires will be no hindrance, but helpful in maintaining peace. He who understands the requirements of the Church, and all the intricacies of litigation, can best advise his members concerning the evils arising from rigid applications of the law of the Church for the adjustment of disputes, and the fact of his intelligence in these lines will increase his power to restrain evil passions in the interest of justice and right.

It will sometimes occur that after the pastor has done all that is possible to avoid resort to the forms of trial to settle disputes, he will be compelled to proceed in due form to enforce adjustments, and thus protect the good name of the Church, and maintain her authority in the presence of insubordination and defiance. In such times his competency as an administrator is even more valuable than his power to excel in the pulpit. Mistakes in administration engender strifes, and often involve the pastor in disputes to which he has no desire to become a party. There is no safety for him in the excitements that attend attempted enforcements of the Discipline, ex-

cept in the most rigid adherence to the exact line of duty marked out for him in the law under which he acts.

The first requisite, therefore, to a successful administration is knowledge of the Discipline. This can be acquired by studying it in the light of its history, and of the precedents which have been established in the past. Precedents gradually come to possess authority in the interpretation of the Discipline, and it is not wise to disregard them. The study of books of accepted reputation on ecclesiastical law is important. These deal largely with principles and general rules, and tend to develop the power to grasp the essentials of a case pending, so as to avoid distracting the mind by incidents and side issues.

The next qualification for a successful administrator is complete self-control. He must not only retain his presence of mind, so as to think promptly and clearly, but he must be utterly unbiased in feeling and in judgment. He may not avoid having his beliefs in regard to the guilt or innocence of an accused party, or his convictions as to the side on which justice lies in cases of controversy, but his beliefs must not prevent him from absolute fairness. He stands above the litigants, in the

clearer light of reason and truth, where righteousness reigns and the supremacy of law casts out prejudices and personal preferences. At the outset of proceedings he should assume that personal inclinations are not to be gratified, except in the line of the process which the law requires.

The design of all disciplinary administration should be kept in mind. It is the honor and purity of the Church, and the spiritual good of the parties concerned. It is not punishment. The Church has no power or mission in that direction. The word "penalty" is sometimes used in our allusions to the outcome of proceedings, but always with a modified meaning. Strictly speaking, the Church does not administer "penalties." Church trials are not for the punishment of offenders, but for their reformation, and for freeing the Church from responsibility for the wrongdoing of individuals in her communion. The utmost of her authority is to exclude the disobedient from membership, and this power is exercised not for revenge or gratification, but solely to preserve her purity and maintain the character which is essential to her mission and work. In this regard ecclesiastical trials differ from trials in civil and criminal courts.

Their simple aim is to determine the question of the fitness of accused parties for fellowship, while the secular courts look to the enforcement of justice in the form of penalties.

The methods of Church trials should be understood as well as their design. In some respects they should follow the methods, as nearly as may be, of the secular courts. The forms prevalent in these courts are the results of the experiences of generations, and command the approval of the instinct of fairness in the common people as well as the trained judgment of men learned in the law. They will not permit the arraignment of an offender without specific allegations against him. Neither should the Church call any one to account without an accusation setting forth distinctly the things to be proved or the matters whereof complaint is made. The form of the charge is not so important so that it is specific and raises an issue that is readily understood. Ambiguity in framing charges should be avoided. The pastor has duties in this connection. He is not to become a partisan or an advocate, but in the interest of righteousness he should learn the nature of the offense alleged, and then see that the bill framed contains the averments of the complainant in

unambiguous terms. By insisting on this before entertaining the charges he is performing an unpartisan duty. Due notice is always to be given, and the administrator is bound to see that no defendant in a Church investigation is put at a disadvantage by any action in arranging the preliminaries. The accused before the Church, not less than before the secular court, is to be dealt with as innocent till he is proved guilty. To do this in fact as well as in profession requires that perfect self-poise which is insisted upon as one of the highest qualities of an impartial administrator.

In performing the simplest as well as the greatest duties as an administrator of the Discipline, the pastor ought to bear in mind the fact that the Methodist Episcopal Church is connectional, and that as much uniformity of administration as is possible is exceedingly desirable. In order to this end he will be particular to avoid novel methods and experiments, and seek to observe the prescribed forms as followed by his brethren and sanctioned by usage, even where his personal taste or convenience might lead him to regard a deviation as allowable.

The administrator must also remember that the law is not made for exceptional cases. He

is not to be discouraged when he finds instances in which the provisions of the Discipline appear inadequate to direct him to such action as reason and justice dictate. Exceptional cases are to be dealt with, each upon its own merits, but always with due regard to whatever rules and usages come nearest covering the principle involved in the action that seems necessary in meeting the emergency. In such cases the administration is largely personal, and the administrator will be obliged to depend on his knowledge of general principles of law and equity for guidance, and upon those usages which have been so uniform as to acquire the force of law. He will sometimes find the path of duty plain enough, while at other times questions will arise calling for discriminating judgment where precedents can not be found. It is, therefore, obvious that every administrator should make himself familiar, not only with the letter of the law as he finds it, but with the principles involved in the provision and with the history of the legislation of the Church on the subject, and the reasons for the special form of the enactment. It is necessary that he should be able to comprehend principles and apply them to new facts, often without precedent. A slavish fol-

lowing of precedents is liable to increase difficulties where the conditions are exceptional, but practice in applying principles to existing facts will give facility in reaching right conclusions. He should also possess a fair knowledge of the rules of evidence, and enough of firmness to enable him to keep the equities in view through all the perplexities of the investigation, and discourage the decision of important issues on mere technicalities.

As intimated above, the administrator will find wonderful variety in cases to be adjusted. Scarcely ever will he find two cases precisely alike, requiring the application of the same principles, and to be settled on the same grounds. But notwithstanding this and all that has been said about exceptional cases it will seldom occur in any one's experience that cases will be encountered with such peculiar characteristics that they can not be brought under some usage that has been established and approved, or some discretionary power lodged in the hands of the administrator. A good degree of intelligence in Methodist history and administration may be necessary in order to find the usage or see the discretionary power that will shed the needed light; and, therefore, it is recommended that inexperienced

administrators take counsel of their older brethren, when dealing with extraordinary cases, if circumstances will at all permit.

ENTERTAINING CHARGES.

Among the duties of the administrator is that of entertaining charges. He must have some discretion in this regard. Trifling accusations, or such as are based on differences of opinion merely, or those that betray malicious purposes, should be refused, or at least postponed till earnest effort be made to remove the difficulty without a formal trial. But where character is involved the discretion of the pastor is more limited. If any member of the Church accuses another member of conduct forbidden in the Word of God, and claims the right to make good his accusation, putting it in writing, and subscribing it with his own name, it becomes the duty of the pastor to accept the charge, and proceed to the investigation under the Discipline. He has no right to decline, and if he should decline the accuser might complain against him for neglect of duty at the next Annual Conference. He is liable to complaint under the head of negligent administration.

The complainant has rights as well as the

party complained of, and his right to call his brother to account for personal injury in property, business, or character, or for immoral conduct, or for violations of the order and Discipline of the Church, is not to be denied him on any slight pretext, or through the pastor's disinclination to perform an unpleasant duty.

MAKING CHARGES.

The pastor will sometimes find it necessary to make complaint against members of the Church, and himself call them to account. If members are neglectful of duty, and disregard warnings and counsels, and persist in willful disobedience, and no other one complains or is willing to initiate proceedings, the pastor is not only authorized but bound to arraign the offenders and enforce the Discipline. Also where rumors are afloat affecting the character of members in the public estimation, and injuriously to the Church, and no one is willing to formulate charges, the pastor may do it himself—nay, it is his duty to do it. By virtue of his office he may write and subscribe the charges, notify the accused, appoint the committee, preside in the trial, and conduct the investigation. This, of course, is an extreme right, to be exercised only where necessity ex-

ists, but it is a right inhering in the pastoral office, important in itself, and indispensable to the maintenance of just authority.

The administration of the Discipline is not to be thwarted, and the pastor crippled, and compelled to witness the impunity of unfaithfulness or disorderliness because no one is willing to subscribe charges. He has the power to enforce the claims of the Church, and is himself responsible if the duty be neglected.

This power is to be exercised only where the pastor is without personal relation to the trouble. If it be a matter of controversy in which he is a party, or if there be strong personal feeling against him, so that his pastoral relation will not shield him from reasonable suspicions of partiality or bias of judgment, he would do well to request the presiding elder to appoint another to administer in his stead.

If the pastor must bring charges, and proceed to administer on them, he should subscribe them officially, as pastor, and in behalf of the Church, making the Church the plaintiff or complainant in the case. It is better, however, when parties are to be put under discipline by the Church, without an accusing party to bring the charges, for the class-leader, instead of the pastor, to sign the complaint in

behalf of the Church. If the accusation be for neglect of the means of grace, it is altogether proper for the leader to do it; and if he does, he proceeds officially, making the Church, and not himself, the party to the case.

APPOINTING COMMITTEE.

The preacher-in-charge is to appoint the committee when a member is to be brought to trial. This is his right and his duty. The Discipline says the committee shall consist of not less than five members of the Church who are not members of the Quarterly Conference. Members of the Quarterly Conference of the circuit or station are excluded because there is a possibility that the case will come before the Quarterly Conference on appeal, and it is not proper that the same persons should act in the committee and in the appeal. It will sometimes be impossible to obtain a suitable committee within the bounds of the charge, and outside of official members, who are members of the Quarterly Conference. The provision is therefore made that the committee may be composed of members brought from any place in the district. Official members in other charges need not be excluded. A large committee is often desirable. One should sel-

dom be selected with less than seven, as in the event of one of the smaller number becoming sick or disabled, the trial would have to fail or be delayed, while with the larger number one or two could be spared without reducing the committee below the minimum number. Nine or eleven would be safe.

The accused has the right to challenge for cause. If he exercises this right, he should do it early, and notify the administrator of his purpose, so that others can be found to serve. In order to this, the pastor should give him the names of the proposed committee as early as practicable. When he makes a challenge he must state the cause, and the pastor must judge whether the cause be good or not. Unless where it is difficult to get persons to serve, the administrator will be reluctant to keep one on the committee to whom the accused objects; but he will not permit captious or whimsical objections to good men to prevent the formation of a competent committee, or unnecessarily delay proceedings.

MAKING THE RECORD.

The administrator who presides in the trial should see that the record is properly made and complete. Every thing said in testimony

is to be committed to writing. Impatience, hurry, and incompetency in the secretary have often destroyed the results of a trial and wrought much evil. Not only must the oral testimony all be taken down, but documentary evidence must be classified, marked, arranged, and preserved. A competent secretary is indispensable, and the president of the trial should feel personally responsible for his selection and work. The employment of stenographers to facilitate proceedings is wise and judicious, but testimony taken by them should be read to each witness and personally approved. Undue haste, where personal character and Church interests are involved, is unseemly. No one is at liberty to assume that the record in any Church trial will not be wanted for review on appeal. Every member of the Church, as well as every minister, is entitled to a trial before his peers and an appeal; and since the appeal can only be heard on the record of the trial, that record should be as nearly perfect as is possible.

In the case of a preliminary investigation before a committee of local preachers, if a local preacher be under charges, or of a traveling preacher before a committee of traveling preachers, where charges are not sustained,

and no suspension follows, the record should be made and preserved with all care; for the reason that the Quarterly Conference or District Conference, which has original jurisdiction in the case of the local preacher, may desire the testimony it contains, and the rule requires that the whole record be transmitted to the Annual Conference, in the case of the traveling preacher, whether there be further prosecution of the charges or not. In case there be a prosecution of the charges at the Conference, the testimony in the record can be used, and it may be the only testimony available, as it is often difficult to induce witnesses to attend the Annual Conference at a distance from home to testify. In the case of a trial of a local preacher before the District or Quarterly Conference, the record should be complete, because in the event of a conviction he has the right of appeal to the Annual Conference, and nothing but the record can be used in the appeal. Serious injustice is liable to follow if the record be not full, accurate, and in good condition. The administrator, whether presiding elder or preacher-in-charge, is the responsible party, and never should there be any lack of attention to this important part of his official duty.

Chapter II.

ACTIONABLE CASES.—PENALTIES.

It is not every case of alleged wrong-doing on the part of ministers and members that will justify the inauguration of proceedings in the form of Church trials. In the case of a member the influence of the pastor to correct the wrong or settle the dispute should be exerted to its fullest extent before resorting to charges, arraignment, and trial.

PERSISTENT IMPRUDENCE.

The first class of offenses against the Discipline is made up of actions which come under the head of imprudent or unchristian conduct. The summary or catalogue is found in ¶ 248 of the Discipline. The wisdom of specifying the actions of this class, in the absence of the possibility of naming all that may be included, is not under consideration. The record is made by the General Conference, and

the administrator will accept the law as he finds it. Many of the acts specified are extremely distasteful to the Christian sense, and when deliberately done indicate a serious lack of respect for the teachings of the Church, as well as defective moral perceptions. They are, however, set down as imprudences and unchristian in their tendency, to be dealt with in tenderness, with a view to their correction without formal proceedings. But they are so plainly at variance with Christian character that they can not be indulged with impunity. If persisted in after admonition and counsel, they become offenses of a higher grade, or rather the obstinate refusal to forsake them at the call of the Church indicates a spirit of insubordination which, if permitted to pass unrebuked, would subvert all Church authority, if not the very essence of Christian morality. It is on this ground that the repetition of these actions after admonition places them in the category of actionable offenses.

When any member of the Church has been guilty of any one or more of these prohibited actions it is the duty of the pastor in person, or in the person of the class-leader as his proxy, to visit the offender and advise and counsel reformation; and if promise is made

to avoid the conduct complained of, nothing further is required till a repetition takes place. If there be a repetition of the objectionable conduct the pastor should take with him the leader or two or three other members, and make the visit formal and official, urging reformation. If the party is obstinate and unrepentant, proceedings for trial may be instituted, but if penitent and seemingly anxious to obey the rules of the Church, nothing more is to be done. If after all this the party returns to the objectionable conduct, the pastor is bound to proceed as in cases of alleged immorality. The imprudent conduct has become actionable in the broadest sense.

NEGLECT OF THE MEANS OF GRACE.

In former times the neglect of class-meeting was the special ground of complaint in this matter, but now the neglect of public preaching, prayer-meeting, the Lord's-supper, family worship, and other duties plainly required of professors of the Christian faith, stand on a level with the neglect of class-meetings. The law has not been relaxed in this regard, but its scope widened. The persistent neglect of any one of these services or duties renders the person liable to complaint. But since this

neglect is put down under the head of imprudent and unchristian conduct, before the case becomes actionable, calling for the enforcement of the Discipline by formal process, the preliminary labor for the reformation of the neglecter is required, and accusation for trial can not be entertained till after the personal effort has been made. The first design is to save the person to the Church and secure his faithfulness in the Christian life. If this can not be done the persistent neglecter must be proceeded against and excluded, which final action has always been distinguished from expulsion, although the legal result is the same. The old record was "laid aside for neglect of duty."

IMMORAL CONDUCT.

Under this head come all forms of conduct "expressly forbidden in the Word of God," which is the Christian's standard of morals. In such cases the law of the Church calls for no preliminary labor, and there is no waiting for a second offense. The proper way of proceeding is for the person aggrieved or aware of the misconduct, to report the same to the pastor, if the accused be a layman or local preacher, or to the presiding elder, if he be a traveling preacher, and to subscribe the charge,

setting forth the specific act in form, and stating the nature of the offense, and the time and place of its occurrence, as nearly as possible, so that the accused may have ample opportunity to explain or defend. This class of offenses includes all acts of open or private wickedness which are clearly immoral, and admit of neither palliation nor excuse. They are to be dealt with calmly and vigorously, to the end that the Church may not suffer reproach, and the offender may not become hardened through impunity.

SOWING DISSENSIONS.

It is sometimes found that persons who are not openly immoral are not less injurious to the peace and order and prosperity of the Church than the licentious and profane. They are constitutionally disturbers in society. They undermine the power of the Church for good, and paralyze her efforts to build up the people in holiness and love. They are the gossips of the community "whose word doeth eat like a canker," whose tongues poison like the viper's, whose spirit revels in bitterness and death. By inveighing against the ministers, and against the doctrines and Discipline of the Church, they create disquietude, discourage the weak

and timid, and excite jealousies and animosities which tend to subvert souls, and destroy the influence of the truth. The Church were untrue to her mission if she did not provide for the exclusion of those who indulge this ruinous spirit and practice. The provision is therefore made that any one persisting in "sowing dissension" in the Church, after reproof and admonition, shall be dealt with in manner and form the same as with immoral persons. In the prosecution of this charge of "inveighing" and "sowing dissension," it is not essential that charges of positively false teaching be maintained.

DISSEMINATING FALSE DOCTRINES.

The Methodist Episcopal Church has always been liberal in regard to doctrines, not entering into the minutiæ of personal opinions privately held, particularly upon speculative points in theology; but she does, nevertheless, require subscription to the substantial doctrines of the Gospel, such as are essential to the Christian life. Especially does she require her ministers to "banish and drive away all erroneous and strange doctrines contrary to God's Word," and to teach only in accordance with the twenty-five articles of religion, the Methodist

Catechism, and such other standards as meet the general approval of the denomination. Private members may become liable to accusation and trial by "inveighing against our doctrines," but it is of much greater importance to keep the preachers within the lines of permissible beliefs. Their teaching office makes the difference.

There is an acknowledged embarrassment in the matter of bringing action on account of erroneous teachings, by reason of the fact that our standards are not well defined. But doctrines contrary to the articles of religion and the catechism are easily detected, and it is seldom necessary to proceed against parties whose teachings do not antagonize these standards. In the event of a minister disseminating doctrines contrary to these standards of doctrine, he is to be arraigned at once, and proceeded against in the form of trial, as if accused of gross misconduct; nevertheless, by entering into "solemn engagement," even after conviction before a committee, that he will not continue the offensive teaching, either publicly or privately, he may be borne with, and the Annual Conference will take final action in his case.

FRAUDULENT DEALINGS.

The preachers are positively enjoined to execute all our rules against frauds of every kind, and against dishonest insolvencies in particular. Any failure in business calls for an examination on the part of the Church by a committee, so that if fraud exist it may be detected, and if it do not exist suspicion may be allayed or forestalled. In every case where insolvency occurs the committee should be appointed and perform its work vigorously and faithfully. The initiation of such proceedings should not be taken as indicating suspicion, but should come as a matter of course, and those anxious for their good name in the wreck of business and fortune will hail the action of the Church as a friendly intervention in the time of trouble. If dishonesty is found, then the proceedings in the form of trial must be begun; and nothing is to be looked upon in the light of a prosecution till this period is reached.

Under this head come all complaints of non-payment of debt, and of "taking up goods without a probability of paying for them." The legislation of the Church is against extravagance and recklessness in trade, as well

as against wild adventures in speculation, sometimes erroneously called business. It seeks not to oppress the poor, but to enforce honesty, economy, and carefulness.

ARBITRATIONS.

In disagreements in business and disputes concerning amounts and unsettled accounts, the Church provides for arbitrations, looking to the adjustment of all controversies and misunderstandings in a peaceful way, without complaints or charges or trials. But arbitration can not be had without the agreement of the parties. It is, therefore, made the duty of the pastor to recommend arbitration, and when he recommends it he does it as an act of administration, with authority to enforce the recommendation. If the party refuse to arbitrate, and enters into lawsuit with his brother to enforce a settlement in another way, he may be accused of disobedience to the order and Discipline of the Church, and brought to trial on that accusation.

In case arbitration is agreed to, each party shall choose two arbiters, and the four thus chosen shall choose a fifth, and the preacher himself shall preside, allowing counsel, calling witnesses, and observing all the formality of a

Church trial, till the case is fully presented. The five arbiters shall then decide the matters in dispute, and the parties to the arbitration shall abide the result. If either party is dissatisfied, his remedy is in applying to the Quarterly Conference for a new arbitration. The specific provision for this is no longer in the Discipline, but it is so obviously in keeping with the methods of the Church and the precedents established under the former provision and the powers of the Quarterly Conference, that when sought in the interest of peace, it would not be denied. But if either party to the arbitration refuse to abide by it, and fails to seek relief in peaceful ways within the provisions of the Discipline, he is to be deemed guilty of a breach of rule, and may be so charged, and brought to trial, and expelled. In such transaction the refusal to abide the decision of the arbitration is the actionable case. The trial of the party thus accused need not take into account the merits of the original dispute which was the subject of the arbitration. (See Note 616.)

MAL-ADMINISTRATION.

Every man in the Church who administers the Discipline is amenable for his administra-

tion. The rulings of bishops, presiding elders, and preachers-in-charge are subject to appeal and review. Beyond all this is the provision for proceedings for mal-administration. The party accused is to give account to the body to which he is responsible—the bishops to the General Conference, and the ministers to the Annual Conference.

The latest provisions of the Discipline on this subject are in the right direction, not yet complete, but an improvement on the former legislation. The old method of arresting the character of the minister, and putting him on trial as if under complaint of immorality, is discontinued. But the administration can be reviewed and corrected, if need be, on appeal, coming through the Quarterly Conference to the Annual Conference; and "errors of administration not connected with judicial proceedings, may be presented to the Annual Conference, which may order just and suitable remedies when the rights of members of the Church have been affected." The manner of presenting these "errors" to the Annual Conference is not specified, but plainly it must be done by memorial, setting forth grievances. When provision is made that a thing may be done, the way of doing it can be found, and

the Annual Conference will not be obstinate as to the method. The design is that all questions of law or fact, which are matters of opinion, and all acts of the administrator which are determined by opinions honestly held, shall be decided by the proper authority without involving character or the forms of a trial. Hence, in order to make a case actionable, in the sense of liability to charge and trial, there must be an accusation of "corrupt, negligent, or partisan administration." Such a charge involves character, and requires all the formalities of notice, arraignment, and regular proceedings. Trials of this kind can not take place in the intervals of the Conference, and a preliminary investigation before a committee is not admissible. (See Note 26, Appendix.)

ABANDONING WORK.

A traveling minister who refuses to go to the work assigned him by the bishop, or who abandons his appointment after going to it, is liable to be called before a committee by his presiding elder, and if he can not give satisfactory reasons for his course, he may be suspended till the Annual Conference. Indeed, in all cases where preachers leave their work without being appointed elsewhere, or being sick,

it is the duty of the presiding elder to call a committee of ministers to inquire into the case. If the committee find that the party has been blameworthy, or has acted in contempt of the authority of the Church, or in a selfish or negligent manner, and is not excusable for the abandonment of his work, it is in duty bound to suspend him. The provision of the Discipline is so positive on this point that some have thought it self-acting—that is, that by the act of leaving his work, the minister deprives himself of the right to preach or otherwise exercise his office till a committee or the Conference shall pronounce him excusable. There are serious objections to this self-acting power of the Discipline. It has not been accepted or acted upon in the past, and will not be in the future. A minister can not be held to be under any disability in the sight of the Discipline till his conduct has been passed upon by some competent authority known to the Discipline. In all such cases the final determination of the matter is with the Annual Conference, which may censure or locate him, if it judges expedient. This, however, is not an actionable case in the sense that character is involved; for while a minister may prove unfitted for the pastorate, and be right-

fully located, location is not to be looked upon in the light of a penalty.

PENALTIES.

As mentioned elsewhere, the Church does not aim to inflict "penalties," in the proper sense of that word; and yet there is no better term with which to express the idea to be conveyed. In the modified sense, or in the ecclesiastical meaning, any censure, condemnation, or reproof, adjudged as due to an offense against the Discipline, or any disability imposed by judicial process, such as deposition from the ministry, suspension, or expulsion, is a penalty. The location of a traveling minister without his consent is a change of relation a little more positive than placing one on the superannuated or supernumerary list, but of like character; and since it does not interfere with his ministerial office, nor imply any stain or cloud on his character, it is not usually regarded as a penalty. But, on the other hand, it does interfere with the rights of the person in two important respects: first, with reference to his claim to a pastoral charge; and, secondly, with his possibly becoming a claimant on the Conference fund. This, however, is to be considered, that underlying all the rights

of membership in the Annual Conference, and conditioning them, is the pledge and covenant engagement to do all the work of a Methodist preacher acceptably to the people and profitably to the Church, and that the failure of this acceptable service forfeits the rights conditioned upon it. It was, doubtless, in this view of the subject that the forcible location of ministers for unacceptability was placed in the Discipline outside of the list of appealable cases. (See Note 20, Appendix.)

This does not, however, decide the questions as to the necessary steps to ascertain the unacceptability, and the formality of pronouncing on the failure of the conditions of continued membership in the traveling connection, and declaring the forfeiture. Whether the year's notice required by the Discipline, and formal request that the person locate, and the formal vote of the Annual Conference, with a majority of two-thirds, be a sufficient judicial process, is for the General Conference itself to determine.

A custom has prevailed, which is of questionable authority and expediency, of convicting a minister of some offense not sufficiently grave to justify his suspension, and sentencing him to be reprimanded by the bishop in the

presence of the Conference. This is humiliating to the person, and often embarrassing to the bishop, and does not seem to have much reformatory power in it. The serious difficulty is that it is not provided for in the Discipline. In cases of improper words and tempers, the offending person is to be admonished by his senior in office, but this is the duty of the senior in office in his private labor with the brother on the first offense, before the case has gone to a committee, or in any wise become a case of trial. There is no law for sentencing a person to this kind of penalty after trial, or for carrying it out in pursuance of the order of Conference, as the result of judicial proceedings. The only authority for such a proceeding is custom.

The real nature of the investigations known as Church trials is seen when they are looked upon as inquests, instituted and conducted with a view to ascertain whether the person accused has been guilty of actions, words, or tempers, as alleged, which disqualify him for the position he holds in the Church, or for membership therein. The idea of punishment, except in the sense that any privation or disability imposed is a punishment, does not enter into the law, and should not find place in the

thought of those who administer it. It is, therefore, beyond the sphere of the Church, and outside the aim of her judicial processes, to inflict humiliations or punishments of any kind, simply as punishments. She rightfully deprives those of honors or trusts who prove unworthy of them, and excludes from her communion such as fail to come up to her requirements and laws. In this she is not vindictive, but exercises only the right of self-protection, while the infliction of penalties designed to result in injury to person, property, family, or social rights, or rights of citizenship, is contrary to the genius of the Church, and violative of the liberties of the people under the laws of the commonwealth and the nation. For any incidental or consequential evils following the legitimate enforcement of the Discipline, although seriously affecting the standing of the excluded person, the Church is not responsible, and can not be held as inflicting damages.

Chapter III.

TESTIMONY.

THE subject of this chapter is among the most difficult, and yet one of the most important, in this treatise.

The first question that arises is as to whether the admissibility of testimony in a Church trial is a question of law to be decided by the president of the trial, or a question of fact, to be determined by the committee or the Conference before which the case is pending. There is no doubt that questions of fact enter largely into the problem as a whole, and determine the nature of the testimony to be submitted, and give rise to the main question concerning its admissibility; but still the weight of authorities in the form of usage, precedents, and decisions, favors the idea that the whole matter of determining the admissibility of testimony is with the chairman.

The next question is as to the extent to

which it is important to require that testimony in our Church trials shall conform to the rules which are binding in secular courts. On this point it is impossible to pronounce with positiveness. The rules established in the courts of justice for receiving or rejecting offered testimony are the result of much experience, and bear the sanction of the highest human authority, and are entitled to the greatest respect. They are designed to elicit the truth, and only the truth, in such form as shall be just to all parties interested in reaching the ends of justice, in the fairest possible way, and of course they are worthy the highest regard and imitation in Church courts, so far as they can be made available. There is nothing to be said in opposition to these rules, but rather every administrator of the Discipline is urged to become familiar with them, and make them helpful in his perplexing duties. Without the light which the established laws of testimony will shed upon his pathway he will often find himself embarrassed and hampered by conflicting claims, and be as likely to take the wrong step as the right one. It is perhaps unfortunate that under the economy of the Church inexperienced men are brought into such relations that they must act officially in

matters requiring great intelligence as well as the ripest qualities of wisdom and prudence. This evil is, however, somewhat mitigated by the supervisional arrangements of the Discipline, and the facilities afforded for counsel and official guidance. The young men in charge can always secure the advice and assistance of their presiding elders, and none should hesitate to seek for it.

The established rules of testimony in the secular courts are not so complete as to exclude doubt and become infallible, even in the hands of those most skilled in their study and use. After mastering them as best he can, the administrator still finds wide scope for the exercise of discretion, guided by his sense of justice, and the perception of fairness in the circumstances of the case before him. Indeed, he will find it impracticable to be governed by any rules save common sense and his own instincts of righteousness in many instances that will arise in his experience. Sometimes a rigid adherence to the laws of testimony will work injustice in the sight of the administrator and all disinterested observers, and the question will be whether justice shall fall before the forms of law, or legal technicalities be surmounted in the interest of truth. In

such dilemma the guardian of the Church's honor and the protector of the rights of his people will not hesitate; for his single eye prefers equity and the substance of truth before the most cherished forms.

It should not be forgotten that what is known as "legal testimony" is not expected in Church trials, and can not be procured. While it is possible to conform very nearly to the forms of secular courts in the examination of witnesses, and in permitting and excluding questions, it is seldom wise to be restricted to legal forms, or to be very tenacious about legal testimony, since we do not lay the foundation for it in that we do not swear the witnesses and can not compel their attendance.

The Church is a voluntary organization, empowered to make rules and regulations for the government of her members in moral and religious conduct, not interfering with their rights or duties as citizens, and in the exercise of her authority in this direction and within this sphere, she is recognized and protected by the State; but she has no power to send out her subpœna and compel the desired witness to be present. Whoever testifies in ecclesiastical courts, in this country, does it of free-will, without constraint, and without the

sanction of an oath. Reluctance to testify is common and natural; and on this account witnesses should be saved from the annoyance of needless questioning and cross-questioning. If they agree to tell what they know of a case or a fact bearing on a case pending, they should be permitted to make their statement, and be treated with respect in the matter of questions.

The largest liberality, consistent with justice and fairness in receiving testimony, should be the rule. Where the witnesses appear before the committee or Conference, their appearance and deportment, their intelligence and spirit, will be observed by those who have to consider their testimony, and their relation to the case will be taken into the account, and a proper estimate placed upon their statements. These matters are of more importance than the mere forms of testimony. It is therefore desirable to have the witnesses present whenever practicable.

The members of the committee or of the Conference, sitting in judgment on the conduct of an accused member of the Church or minister, will inevitably look to the equity of the case more than to the regularity of the form of proceeding, and they will be swayed in

their minds by a tenacious stickling for technical rulings to keep out incidental statements and informal testimony, more than by the admittance of something that falls below the legal standard in its shape or method. The object of the investigation is the attainment of truth, and whatever sheds light and guides the mind to a righteous conclusion, especially if it is necessary to that result, ought not to be kept out through merely technical objections. It will, no doubt, be found conducive to the ends of Church investigations to allow witnesses to express their whole mind, largely in their own way, and by such helps as reasonable questioning on either side will afford. The committee or Conference, the witnesses themselves, and all concerned, will feel better satisfied with the larger liberty, while no real interest that ought to be conserved will suffer thereby.

This large liberality in admitting testimony does not propose to break down all barriers and allow all sorts of statements, regardless of their relevancy, or of the manner in which they came to the knowledge of the witness. The record of the trial is not to be encumbered, nor is the memory of the triers to be burdened with statements which have no bear-

ing on the issue pending; nor is the witness to be allowed to testify to what he knows by hearsay, or to what he imagines or holds as an opinion. He must testify to facts within his knowledge, and the liberality recommended looks to bringing out the facts in all their relations and bearing, so as to make their legitimate impression on the mind. Half-truths sometimes become the most pernicious falsehoods; so also it is liable to happen that facts imperfectly stated, or given without their incidents, make an impression the opposite from that which their fuller and clearer presentation would make. It is because of this that so much liberty is accorded in the cross-examination of witnesses. The witness, having stated a fact as it lies in his own mind, or it may be, as he prefers to see it, is required to step round, so to speak, and look at it from another side, and tell how it appears when viewed from the new stand-point, or in the light of additional surroundings.

In Church trials it is always to be assumed that the members of the committee or the Conference are capable of weighing the testimony and giving to it its proper value. If it comes from an intelligent witness, of high character, they know it, and will appreciate

it; and if it comes from one who is honest, but ill informed, they know and consider that fact; and if it is the testimony of one of doubtful reputation, they know, and have the right to know, that fact. So, also, they know when the witness is biased by interest in the case, and whether he is willing or reluctant. If testimony is in due and proper form they know it, or if it fails to conform to the rules of the code in secular courts they are supposed to be aware of it. It is, therefore, safe to permit testimony to come before them that a secular court would not submit to a jury; for, while they are to decide the case by the testimony, they can and will weigh the testimony, and judge of its value, not merely on the ground of its legal form, but on the whole ground of its trustworthiness.

When *ex parte* and informal testimony is admitted, as sometimes it may be, it should be admitted in its true character, not as formal and competent testimony, entitled to full weight as such, but simply as it is, *ex parte* or informal, to be given only so much importance as the triers may judge it should be accorded under the circumstances. It often happens that *ex parte* statements are all that can be obtained on points of importance, and to ex-

clude them would be greater injustice than to admit them for what they are worth. In all cases where such testimony is offered, the chairman must exercise his judgment as to whether it is the best that is available, and whether it can come into the case without injustice to either party.

In taking the testimony of absent witnesses, in the form of depositions, it is more important to be formal than in the examination of those who are present in the trial. The naked words of such are all the triers have to guide them in weighing their statements. Their personal bearing, their backwardness or forwardness, their apparent leanings to this side or that, are all unseen and unknown. It is, therefore, important to have their statements in clear and plain language, and full enough to give their exact meaning. The Disciplinary form of taking depositions should be insisted on as far as is practicable. It is competent to take the testimony of an absent witness before the preacher-in-charge where the witness resides, or before any preacher appointed by the presiding elder of the district, provided due notice has been given, so that the opposite party may be present in person or by counsel, to cross examine the wit-

ness. The due notice should include the day and the hour, putting it in such time as will be practicable for all parties, considering the distance and conveyance available. The duty of the preacher before whom the testimony is to be taken is the same as that of the president of the trial. He must judge of the relevancy of the questions propounded, of their lawfulness, and of the propriety of the answers, and see that the record is made correctly, and approved by the witness, and that the witness is properly treated both in the examination and the cross-examination. Depositions thus taken and certified by the minister before whom they are taken are to be admitted as lawful testimony.

The Discipline provides that "witnesses from without shall not be rejected;" that is, witnesses who are not members of the Church may be called, and their testimony accepted. Any one who is competent to testify in other courts may be heard in Church trials. It is, therefore, lawful to take the depositions of absent witnesses who are not Church members, the same as those that are.

Sometimes it is agreed that the testimony of an absent person may be taken by correspondence, without visiting him or examining

him before a minister. This is less satisfactory than the formal deposition, and yet it is allowable where it is the best that can be done without great inconvenience or expense. In such cases the questions to be answered should be written by the parties managing the investigation, and agreed upon, and the answer to each question written by the witness, the answers following the questions in order, so that no mistake can be made in taking the answer to one question to be the answer to another. Depositions thus made should be submitted with the explanation necessary to acquaint the triers with the nature of the document, and the circumstances of its production.

The question of the competency of witnesses will necessarily arise in the administration of the Discipline. But positive rules on this subject can not be given. The qualifications of witnesses required in the courts of the country are worthy of careful study by every one called to preside in Church trials; yet the exact rules of the courts can not be held as binding on the authorities of the Church. As constantly held in this treatise a larger discretion in estimating testimony is exercised by the triers in ecclesiastical courts than is allowed to jurors in secular courts,

and, therefore, larger liberty can be taken in admitting testimony and in permitting witnesses to testify whose competency might be questioned elsewhere. It is, however, clear that some limit must be observed in this regard, although in almost every instance the responsibility of deciding on his own judgment must be taken by the chairman. Children of such tender age as to be irresponsible, and incapable of any sense of moral obligation, should not be called. But the exact age at which a child becomes competent can not be determined by rule. Some reach the point of competency earlier than others. Idiots, insane, and intoxicated persons are excluded, of course.

In some places, and in some courts, persons are legally incompetent on account of their lack of religious belief. If they do not believe in the being of God, as the moral governor of the universe, and have no faith in a judgment to come, or in a life after death, they can not be held to regard the binding character of an oath; and where the legality of testimony is connected with the recognition of the oath as binding the conscience, such persons are legally disqualified. But, notwithstanding this religious defect, it may be that such persons enjoy the respect of their neighbors as truthful, and

pass in the community as of ordinary integrity, and to disallow them to make their statements touching facts with which they are familiar would be unwise, and unsupported by the sentiment of the public. The Church is under no obligation to reject them because of their want of religious belief; but the fact of this want may, and will, enter into the account, along with their general standing in the community, in making estimate of their testimony when submitted. If their atheism does not exclude them it will affect their credibility, and of this the persons weighing the testimony will be the judges for themselves.

There are instances in which unbelief in God ought to exclude the person from being heard at all. Where his atheism is offensively prominent, accompanied by antipathy to the Church and religious people, showing itself in open antagonism to Christian activity, and in general disregard of the highest moral standards, there is great impropriety in calling him to testify, or permitting him to be heard in any official proceedings in the Church.

The testimony of those who have been convicted of scandalous crimes is sometimes ruled out. It seems reasonable that one who has committed forgery or perjury, or any of-

fense against public morals that betrays an utter want of personal integrity, should be denied the privilege of testifying in any Church trial; and the administrator who refuses to admit such an one can not be held as exercising an unwarranted discrimination. On the other hand, it should not be held that the fact of such conviction inevitably excludes the witness in all cases. The person may have suffered his punishment and be endeavoring to recover his lost standing, and conducting himself so as to give reasonable assurance that where he is not personally interested his word can be taken as to a fact under his observation with ordinary confidence. The act of testifying is not in his own interest, and the failure to call him no privation. The law of the Church does not prohibit the administrator from permitting him to testify, while the credibility of his statements will be judged by their consistency, by his manner, and by any corroborating circumstances that may appear.

Interested parties may testify. The secular courts have become more liberal in this regard than in former years. Persons under indictment for criminal offenses are permitted to testify in their own behalf. Relatives of the accused, near and remote, are allowed to

give their testimony. In secular courts there are some restrictions on the privileges of husband and wife in the matter of testifying for or against one another; but these relate as much to compelling them to testify as to allowing them to do it, and need not have bearing in Church administration where there is no compulsion. The dependence of the Church on voluntary testimony renders it proper that the restrictions be less rigid than where there is power to coerce witnesses and punish them criminally for refusing to testify or for testifying falsely.

No rule can be laid down for determining the credibility of testimony. In this matter the chairman in the Church trial has some responsibility. If he is compelled to admit the competency of a witness whom he believes to be untrustworthy, and drops a word of caution in the presence of the triers, he is doing what his relation to the Church and his interest in the truth permits, and he may not be accused of exerting undue influence in a partisan way because of such action. The triers are the judges in every instance of the credibility of witnesses. They judge by what they know of the general character of the persons, by their manner, their apparent zeal or coolness, the

completeness and consistency of their story, and by the corroborations or contradictions that occur in the statements of others, and in circumstances known to themselves. They may discredit statements of witnesses in part or in whole without impeaching their veracity. It may appear to them on comparison of the testimony that a witness misapprehended a fact, or knew only a part of it that misled him, or had forgotten items essential to the understanding of the whole. Sometimes witnesses speak from impressions which they honestly entertain, and suppose to be the result of knowledge or memory, when they have come from other sources, and are not trustworthy in the form in which they exist. Persons are often called to testify with reference to matters that passed months before, and made no definite impression on them at the time, and in recalling them with a view to relate them circumstantially, they unconsciously connect with them persons and sayings and circumstances that belonged to other events. In many ways, indeed, testimony may become inaccurate, when it was not intended to be false. It is the duty of the members of the committee, or of the Conference to sift all the testimony, and weigh the circumstances of the

witnesses, and of the facts related, and exercise their best judgment as to what is the exact truth, after hearing all parties.

The impeachment of witnesses is seldom resorted to in Church trials. This is not admissible at all in the case of witnesses who are members of the Church. To attempt it is to put the witness on trial, which is not lawful, except under charges in the regular way. The impeachment of witnesses who are not members, and over whom the Church has no jurisdiction, is scarcely allowable, except in a very general way by rebuttals, and by showing their general reputation for truth and veracity. The credibility of witnesses can usually be shown in a proper light without the formality of impeachment.

Chapter IV.

PRELIMINARY INVESTIGATIONS.

In nearly all cases of rumor or accusation against members and ministers there is, or ought to be, some kind of preliminary inquiry before the case comes to formal trial. The pastor himself will make informal investigation in order to satisfy himself that there is gravity enough in the rumor to justify formal proceedings before he entertains the charges, or he will submit the matter to the leaders and stewards' meeting for counsel, or in some way obtain information as to the probable facts, or the nature of the testimony that will be available. All this, however, is unofficial.

In cases of alleged imprudence, or the indulgence of improper words or tempers, and where the neglect of the means of grace is the matter complained of, he proceeds officially in the duty of his office when he seeks the facts, and labors with those implicated, and

admonishes and reproves them, as he is bound to do. This is intended to secure reformation, and do away with the necessity of further action, and at the same time prepare the way for further action, if it shall be necessary.

There is no provision of the Discipline for any other preliminary investigation than these informal ones, as preparatory to the trial of members. When the committee is appointed, and the member notified to appear for the first time, the trial is formal, and must proceed in the regular way, the charges having been entertained, and all preliminary steps taken. The conduct of such a trial does not come up for consideration in this chapter.

LOCAL PREACHERS.

When a local elder, deacon, or preacher is reported guilty of some crime expressly forbidden in the Word of God, it is the duty of the preacher-in-charge of the circuit or station to call a committee of three or more local preachers, who may come from any part of the district, or beyond it if necessary, and require the accused to appear before the committee and answer to the charge. Although this is not a trial, it is an official proceeding, and should be conducted with all the precision

and formality of a trial. There must be the charges, the due notice, the presidency of the preacher-in-charge, the witnesses, the counsel, the record of the proceedings and of the testimony, and every thing in order.

This proceeding is properly a preliminary investigation. The committee has power to acquit the accused if the facts warrant that action, and the power to suspend him from his ministerial or official duties till the Quarterly Conference convenes, or till the District Conference, if there be one in the district. It has no power to expel or depose or adjudge to the accused any other penalty or disability. It must pronounce the charge sustained or not sustained, and if sustained, its only duty is to suspend till the District or Quarterly Conference. This action does not require the unanimous consent of all the committee, but the decision of the majority is the decision of the committee. It is well for the members of the committee to subscribe their names to the finding—that is, those who favor the finding of the majority—although the Discipline does not specifically require that this be done. Those who dissent from the finding should not be required to sign the verdict they do not approve.

The record made up, including the charges,

the testimony, and the finding, is to be laid before the District or Quarterly Conference, and the accused cited to appear there for trial. The record may be used in the trial before the District or Quarterly Conferences, but the Conference is not restricted to it. The case proceeds there not as an appeal, as it is not, but as an original trial, and, therefore, any testimony may be admitted that is competent, though it was not offered in the preliminary investigation; and additional charges and specifications may be considered, provided the proper notice has been given. In the proper sense, the preliminary investigation is not a trial, and does not limit or control the District or Quarterly Conference in any sense whatever.

TRAVELING PREACHERS.

The law respecting the preliminary investigation of charges against traveling ministers is not full, but explicit, in all material points. "When a member of an Annual Conference is under report of being guilty of some crime expressly forbidden in the Word of God, sufficient to exclude a person from the kingdom of grace and glory; in the interval between the sessions of the Annual Conference the presiding elder shall call not less than five nor

more than nine members of the Conference to investigate the case; and he shall cause a correct record of the examination to be kept and transmitted to the Annual Conference. If the charge be sustained the accused shall be suspended from all ministerial services and Church privileges until the ensuing Annual Conference, at which his case shall be fully considered and determined." The members of the committee are to be of the same Conference to which the accused belongs, and the presiding elder is to preside. The investigation is to proceed with all the forms of an actual trial. The only quality it lacks of being a trial is the power to make final disposition of the charges, subject to an appeal. It can not do that, but is confined to the duty of making a record and acquitting or suspending the accused till the Annual Conference.

It is not proper for the presiding elder to call the committee on mere rumor. There must be the formulated charge, with definite specifications, drawn as carefully as for the final trial. The party accused must have proper notification, giving him reasonable time to prepare for his defense, and a copy of the charge and specifications should be placed in his hands at the time he is notified, if practi-

cable, and at all events some days before the time set for the investigation. The same rule respecting counsel for the Church and the defense prevails here and in the trial at the Conference. No one who is not a member of an Annual Conference can be permitted to act in that capacity. The right to challenge for cause should also be accorded to the accused, in this proceeding, the same as in the trial before a select number at the Conference; and the rules respecting the admission and exclusion of testimony should be observed. The accused and accuser should be brought face to face, if at all practicable; and, while the committee must be the judge of the sufficiency of the evidence to convict, the persons sitting will not forget how cautious they ought to be in sustaining grave charges against a minister on the unsupported testimony of a single witness.

There is a practice which has grown up in some of the Conferences, without formal authorization in the Discipline, that can best be treated under this head of preliminary investigations. When rumors are in the air detrimental to the character of a minister, with no personal accuser, and not sufficiently tangible to require the arrest of his character and a

formal trial, or, at least where the preliminary steps have not been taken for a trial, in the way of notices and the formulation of charges, the Conference appoints a committee of inquiry to ascertain whether there is enough in the rumors, and whether they can be reduced to form and traced to responsible sources, so as to justify charges and a trial. This is, in fact, a preliminary investigation, but it is necessarily informal, and may be in the interest of the suspected party, or the party shadowed by rumors, as much as against him. The right to institute this informal investigation is inherent in the Conference, and not the result of legislation embodied in the Discipline. It is the duty of the Conference to watch over the reputation of its members, and to adopt such methods as best answer the purpose, where there is no known ground for proceeding under the forms prescribed for actual charges. In such cases the committee of inquiry is about the only way to reach the ends of justice. There is, however, great need for carefulness in its proceedings. It should not launch out into the investigation with the determination to find something whether or not, nor with a purpose to repress whatever appears against the party involved; but it should pro-

ceed in its search for facts and truth with cautious and kindly step, feeling that not less weighty responsibilities are upon it than if engaged in formal trial. Its decision will likely determine whether the brother shall be put on trial or not.

If this committee reports that, after the most diligent inquiry, it has been unable to find reason for arresting the character of the brother, the Conference may safely accept the report and pass his character; and if the committee reports that there is ground for further proceedings, the Conference should not adopt the report, but accept it, and institute such proceedings as it judges best. It may appoint a committee to formulate charges, and, if time permits, put the accused upon trial before the Conference closes; or, if this is not practicable, because of the want of time or testimony, it may refuse to pass his character, and order an investigation under the presiding elder, after the Conference is over. Such investigation, though ordered by the Conference, is only of the character of a preliminary investigation, and if it result in sustaining charges, the committee in the case can do nothing more than suspend the accused till the next Annual Conference. If the result of the

investigation is the acquittal of the accused, he becomes at once entitled to an appointment, as it is presumed that all there was in the way of the passage of his character at Conference was brought out in the investigation and disposed of, leaving nothing against him. There is somewhat of hardship in closing an Annual Conference with a brother's character unpassed, and his trial ordered. In the nature of the case he is deprived of an appointment without a trial, and before he is convicted of any crime or offense against the Discipline. It is his misfortune to be accused under such circumstances as to require this exceptional proceeding. The Conference will only leave a man in this condition in an emergency which it can not control.

The question sometimes arises as to the expediency of a preliminary investigation at the Conference in cases where charges are duly made out and presented against a member of the body. The circumstances are extremely rare when any such thing should be allowed. If the charge is made in form, and subscribed by one entitled to be heard in such relation, the investigation should be made in actual trial by the Conference, or by a select number empowered to act for the Conference, and

make the final disposition of the case. In some instances charges regularly made out, and duly signed by responsible members of the Church, have been referred to a committee of five or seven, to report whether or not there was sufficient reason for bringing the charges, and subjecting the implicated person to a formal trial. At first glance this seems reasonable; and yet there are serious objections to it. In the first place, it is next to impossible for a committee of this kind to make the investigation it is charged to make, without going to some extent into the merits of the case, which it has no right to do; and in the next place, it is scarcely possible for it to frame a report of any sort that will meet the object of its appointment, without indicating some judgment on the merits of the case, and thereby prejudicing the Conference one way or the other. If the charge is in sufficient form, and contains allegations sufficiently tangible to put the accused on his defense, and is made and subscribed by a person who has a right to make the charge, it is the duty of the Conference to entertain it, and proceed to the real trial, or to refuse to entertain it by its own action. If there is doubt about the accuser's right to bring the charge, a committee may

be appointed to make inquiry on that point; or if there is doubt about the practicability of procuring the testimony and determining the case at the Conference, a committee might investigate that point and report; but in no case should formal charges be submitted to a committee which has not the power to make the final decision upon the merits of the case. There is injustice to the accused and the accuser both in referring a veritable charge to a committee which has no power to decide it upon its merits. If the charge is not sustained, the accused has a right to be acquitted by a lawful body or tribunal; and the accuser has an equal right to have his charges acted upon, whatever the result, by a tribunal of competent power and jurisdiction.

PRESIDING ELDERS.

In case of rumors that the presiding elder of a district has been guilty of conduct forbidden in the Word of God, the Discipline makes it the duty of three of the senior preachers of the district to inquire into the character of the report, and, if they judge it necessary, they shall call in the presiding elder of any adjoining district of the Conference, who shall take charge of the case, and appoint

a committee of not less than five nor more than nine elders of the Annual Conference of which the accused is a member, and preside in the investigation, and proceed in all respects as if the accused were a preacher in his own district.

That which is undefined in this proceeding, and, therefore, leaves wide scope for discretion, is the duty of three of the senior preachers of the district. Any one of the senior preachers may begin by calling upon his brethren who are qualified to join with him. They may "inquire into the character of the report." Evidently they may do this in a very informal way. They are not required to sit as a committee, and call witnesses, and yet they may observe that formality if they think best; but if they do they are not to pass judgment any further than is implied in concluding whether or not to call in the presiding elder of another district for more formal and thorough investigation. It is plainly their duty to see the presiding elder whose conduct they are to inquire into, and give him opportunity for explanations. If the rumors are indefinite, yet serious, and if no one who is competent formulates charges, these senior preachers should do that, and put them in the hands of the presiding elder called in to take charge of the

formal investigation. If in the outset the report is put into formal charges by a proper person, the three senior preachers may inspect the paper, and inquire concerning the probable proofs, and proceed at once to call the presiding elder to undertake the investigation. No presiding elder would feel at liberty to entertain charges against another presiding elder, and proceed to the investigation, or be authorized to do it, till called by the three senior preachers of the district over which the accused presides. Hence the necessity of the action of the three seniors, preparatory to the preliminary investigation, whether the "report" against their presiding elder is in the shape of a definite charge, or only of floating rumors. Their action, however informal, is somewhat judicial in its character, although they do not try the merits of the case, and have no power to suspend or acquit in the event of charges. Their most serious duty is in determining whether there shall or shall not be a formal investigation.

BISHOPS.

Properly speaking there is no preliminary investigation provided for in the case of offending or accused bishops. The reason is the real trial may proceed as readily as a pre-

liminary investigation. Yet there is a sort of preparatory investigation necessary in order to the trial of a bishop. If a bishop is accused of immoral conduct, the presiding elder within whose district the immorality is alleged to have been committed, shall call to his aid four traveling elders, which five ministers shall carefully inquire into the case. The method of their inquiry is not prescribed. Whether they shall sit as a committee and call witnesses, or separately or together call upon persons supposed to be able to give information, and compare notes, and reach a conclusion, must be within their discretion. They are not to wait for formal charges before they begin their inquiries, nor are they to pronounce upon the guilt or innocence of the accused, except to this extent—they must believe there is reasonable ground for the accusation before they take measures to bring the bishop to trial.

In the case of a bishop accused of imprudent conduct, there is seemingly an investigation of some sort not described to take place, for the provision contemplates a proceeding which implies that the imprudent conduct is ascertained as a fact. The language is not "alleged" imprudence, nor is it "accused" of

imprudent conduct, but "in case of imprudent conduct." It must be conduct that is public, or open and notorious, or else conduct acknowledged or ascertained in some way to be a fact. "In case of imprudent conduct the presiding elder within whose district the alleged offense occurred, shall take with him two traveling elders, and shall admonish the bishop so offending." The word "alleged" in this place does not indicate doubt or uncertainty, for the direction is that the presiding elder shall proceed to admonish him, and then follows instruction in case of a second offense. The implication of the whole paragraph is that the offense is a known fact. How the presiding elder is to ascertain the fact, or what investigation he is to make, or who is to pronounce the conduct "imprudent," is not made plain. This, however, is clear, that in case of persistent imprudence in spite of the admonitions of the presiding elder and the other traveling elders, the bishop may be brought to trial, and be dealt with as in cases of alleged immorality.

In all the foregoing cases the investigation may proceed in the absence of the accused, if he absent himself after due notice has been given him.

In the case of a supernumerary or superannuated minister living out of the bounds of his Conference, the preliminary investigation may take place where he lives, and under the presiding elder of the district in whose bounds he resides, but the record must be transmitted to the Annual Conference, of which the accused is a member. The record is always important, but especially so when it is to be transmitted to an Annual Conference at a distance, where it is likely to be the only official information the Conference can command for the disposition of the charges against the accused minister. Administrators can not be too particular in providing for full and accurate records of charges, testimony, rulings, and findings.

Chapter V.

CHURCH TRIALS.

THERE are certain general principles to be kept in mind which are applicable alike to the trial of private members, local and traveling preachers, and bishops.

All Church trials, based on allegations affecting the Christian character of accused persons, in the nature of the case strongly resemble criminal prosecutions in secular courts. They are not intended merely to adjust accounts between individuals who are at variance, nor to settle claims or values, but to ascertain whether the accused has been guilty, as charged, of conduct which, in the sight of the Church, is criminal, being forbidden in the Word of God, and sufficient to exclude a person from the kingdom of grace and glory. However it may be with arbitrations and other endeavors to adjust differences in a peaceful way, without resorting to charges involving

character, when all these efforts fail, and the Church trial has become necessary, the proceedings must be analogous to those which prevail in criminal, as contradistinguished from civil, courts of justice. Yet the analogy is not so complete that any departure from the rules of criminal practice is improper. If a person accused of crime in violating the law of the State is indicted by the grand jury, he must be tried on the indictment as found, and a motion to amend the indictment could not be entertained. But in the Church trial, if it be necessary to simplify the issue, or to comprehend particulars overlooked in the first draft of the charges, and if the modification can be made without necessitating a delay of the trial because of new issues sprung upon the defendant, the bill may be amended at the opening of the trial.

In a criminal trial before a jury, no conviction can take place without the unanimous concurrence of the jurors. A single negative will cause a mis-trial, although the failure to convict does not acquit the accused. No such rigid rule binds ecclesiastical courts. The majority of the triers, whether a committee or a Conference, determines the verdict.

It is a well-known principle of common

law that a person may not be tried twice for the same offense. The Church recognizes this principle, although the ground or reason underlying it, and out of which it grew, does not apply in offenses against the Discipline of the Church as in crimes against the State. In the criminal suit a man may not be twice put in jeopardy; but in questions concerning morals the "jeopardy" is so different that the analogy is of little force. There is, however, a sentiment of very general acceptance, that there is an element of injustice in repeated efforts to convict a person of an offense that would injure his good name, even if it brought no other punishment; and there is no doubt that but for some restriction of this character the prosecutions for alleged offenses would sometimes become persecutions. It is indispensable that there should be a point somewhere at which the Church should declare efforts in this direction ended, and pronounce her power to adjudicate exhausted; and the common law rule is so universally accepted as just that there can be no good reason for disregarding it. But in the Church, as in criminal courts, the trial must be a veritable trial, resulting in a verdict, before it can be pleaded in bar of further proceedings.

The conduct of a trial is determined by the "burden of proof." It devolves on the accuser to make out his case. The prosecution, therefore, begins and closes the presentation of the testimony, and also the arguments. In all trials, in secular and Church courts, this order prevails. The departures from it are extremely rare, and yet possible. If, for instance, a member of the Church is accused of falsehood in making certain alleged statements, and if when he comes to trial he makes no denial of having made the statements as charged, but asserts and proposes to prove that the statements were true in every particular, he assumes the burden of proof, and may be permitted to open and close, throwing the accuser on the defensive. But this change of positions should never be allowed unless the entire issue is covered in the effort of the accused to justify himself. If he denies aught of the accusation, save only its criminality, he should be required to stand in his position as defendant, leaving the burden of proof with the prosecution.

Criminal prosecutions are known as State cases. The offense is against the State, and the prosecution proceeds in the name of the State. The State is the plaintiff. This rule

should prevail in Church trials. The offense is against the law and peace and order of the Church, and the Church is properly the plaintiff. The accusation should be brought in the name of the Church, not in the name of the complainant. His relation is that of prosecuting witness. The Church administers her own laws in her own name. Her judicial authority is not to be invoked for merely personal ends. If she becomes the adjuster of disputes between private parties, it is because her peace and purity are involved, and because it is her mission to maintain peace, and to promote righteousness and good fellowship among all people, and especially those in her communion. She does not, therefore, interpose her authority in personal differences where her laws are not violated.

The Church has not enacted a statute of limitation. It is therefore difficult to fix a rule by which prosecutions shall be barred because of the lapse of time. It is understood in a general way that the accountability of members stretches back to the period of their first connection with the Church. In rare instances charges are made and prosecuted for offenses committed several years before the institution of proceedings. There is always

more or less of difficulty in doing this, because of the absence of witnesses, the indistinctness of memory, and the general feeling of uncertainty that affects all who undertake to search out the minutiæ of events after years have passed. The administrator will be obliged to exercise some discretion when such cases occur, and look at the nature of the case, and the circumstances, to determine the probability of reaching facts enough to justify proceedings before entertaining the charge. It must be an extraordinary case, indeed, that will justify the attempt to try a person for an offense committed so long before that the statute of limitations would bar proceedings in a secular court. It should, however, be understood that neither the lapse of a few years, during which the crime was unknown, nor the passage of the character of a person as a minister or official member can bar proceedings after a sufficient development of facts, however long they had remained unknown.

TRIAL OF MEMBERS.

The first thing to be attended to in preparing for the trial of a member is the charge. The complainant may know little of the forms of proceedings, and be incompetent to put his

grievances in proper shape, and the pastor may very properly aid him in this work. Indeed, he ought, in the interest of justice, to see that the allegations on which the accused is to be arraigned are in good form, so that the issue may be as plain and simple as is possible.

The next thing is the selection of a committee. The Discipline provides that an accused member "shall be brought to trial before a committee of not less than five, who shall not be members of the Quarterly Conference." Five is the minimum number, and it is always prudent to select a larger number, so that, in the event of challenges, or sickness, or any other cause of failure to serve, the committee shall not be reduced below five, which would stop proceedings. If it be necessary the preacher may bring members from any part of the district to serve on the committee. The right to "challenge for cause" is secured to the accused, and must be respected, but challenges are not to be made on trifling grounds. The preacher-in-charge must judge of the sufficiency of the "cause." There is no way to compel a member to serve on a committee, but loyalty to the Discipline and comity towards those concerned, should

induce any one to accept the task at the request of the administrator, in the absence of strong reasons for declining. The Church would be greatly embarrassed if none would serve on her committees except those who might find it agreeable.

The preacher-in-charge presides in the trial, decides questions of law and order, and does all that is required to make the proceedings conform to the law of the Church. He should not be displaced unless in the event of becoming personally involved as a party to the case, and then only by the appointment of another as preacher-in-charge. If the accused person, after receiving due notice of the time and place of the meeting, refuse or neglect to appear before the committee, he may be tried in his absence; but his absence can not be taken as a confession of guilt in any such sense as to supersede the necessity of a formal trial with the exactness required when he is present.

When the parties are present, and the trial is to begin, after devotional exercises it is necessary to appoint a secretary and recognize counsel. The accused is at liberty to select any member of the Church or minister in good standing to act as his counsel. The prosecuting witness,

or any member of the Church, may be appointed by the president of the trial to represent the Church in the prosecution of the case. The organization being complete, the challenges waived or decided, the following order should be observed:

1. The charges read.
2. The accused admits or denies.
3. The testimony for the prosecution is introduced.
4. The testimony for the defense is presented.
5. Rebuttals for prosecution and defense in turn.
6. Arguments. First, for prosecution; second, for defense in full; third, prosecution closes, without new matter.
7. The decision. In making this the members of committee may refresh their minds by references to the testimony, which they are to consider till they are ready to vote. In voting, the chairman submits question on first specification of first charge—Is it sustained? Then on all the specifications of first charge in order. If any are sustained, the question comes, "Do the specifications sustained sustain the charge?" If not, what grade of offense do they sustain? After all is settled in the first charge, take up the second in the same way, beginning with first specification, and so on, till all the specifications and charges have been acted upon.
8. The finding will then be written to conform exactly to the votes on the charges and speci-

fications, and signed by the majority, not requiring any one to subscribe what he did not vote for.

9. The chairman then announces the finding in order, and the sentence the Discipline requires.

If the accused has been condemned, it will be in order for him, in person or by his counsel, to give notice of an appeal to the Quarterly Conference, if he desires to appeal.

The question arises, Must the preacher-in-charge, in all cases, where the finding warrants expulsion, proceed to the extreme, and pronounce the sentence of expulsion? In all cases of scandalous offenses it is his duty to do so; but, where the offense is not scandalous in its nature, and the preacher has confidence that it will not be repeated, and that leniency will not be hurtful to the Church, he may declare the Church satisfied with its vindication in the verdict found and the condemnation recorded, and that if the party will accept the proffered forbearance, and undertake to be more circumspect, the expulsion shall not take place. This is a discretion to be exercised with care, and only when the person condemned will accept the clemency—which acceptance is a pledge of loyalty to the Discipline.

In carrying on the proceedings above noted, the real work is in the examination of the witnesses. Upon this point a few suggestions must suffice. The party introducing the witness first examines him. It is well to call upon him to state what he knows in his own way touching the case in hand. If in his narrative he omits any matter of importance, or leaves it indistinct, he should be questioned in relation to it. All the main points should be brought out in the first or chief examination, covering all the ground within the knowledge of the witness, if it be possible. Leading questions, calculated to suggest the answer desired or expected, are not in order in the examination in chief. Words of explanation to refresh the memory of the witness may be indulged; and the witness may refer to any notes, or book, or other data in reach for the same purpose, but he may not submit his own testimony in writing. The cross-examination should relate to the matters disclosed in the examination in chief, but greater latitude is allowed in questioning the witness, even to the extent of suggesting the answer desired. The design is to sift the answers before given, and see whether the witness will qualify or modify his statements, and concede

facts or conditions more favorable to the party against whom he has been called. The witness is not presumed to be so favorably inclined toward the cross examining party as toward the one that called him; hence the greater liberty in the questioning. Of course, irrelevant questions are not admissible on either side; but on this point the chairman will often be at a loss to know what liberty he ought to permit. Points which to an observer will appear irrelevant may have an unperceived bearing on the issue. When the chairman is in doubt the counsel may be asked to show the relevancy of the point in question. After the cross-examination the witness may be questioned again in the form of direct examination in regard to matters touched upon or suggested in the cross-examination, and further cross-questions must relate strictly to the points just made. When witnesses are called in rebuttal, questions should direct attention to the points sought to be made with as little indirection as possible.

TRIAL OF LOCAL PREACHERS.

The trial of a local preacher requires the same form of proceeding in the District Conference or in the Quarterly Conference, so

that remarks on the trial apply alike to either Conference.

The first trouble encountered is in inducing the members of the Conference to stay at the session, and give the necessary time and attention. The only way is to urge them to the sacrifice by appeal to their interest in the Church, in fair dealing between brethren, and in devotion to official duty. Many of them are laymen, with business claims on their time, and without thought of dereliction in duty are drawn in other directions.

The trial should be made the special order at such time as will best accommodate the members, and the other business of the session being out of the way, it should be taken up as the most weighty concern of the session. It is well to ascertain how many can be present at the beginning and go through it to the end. It is of no value for a member to give his attention to the case for a fraction of the time. To hear the testimony and leave without assisting in the finding is useless; and to come in and hear the arguments, without having heard the testimony, is no help to the cause.

The trial of a local preacher in the Quarterly Conference is before the Confer-

ence as such, and must be a part of the proceedings of the Conference. It can not be turned over to a committee of the body. The presiding elder presides, and sufficient secretarial force must be employed to make complete records of the proceedings and the testimony. Competent stenographers can be used to advantage. Testimony taken and recorded in a preliminary investigation may be used, but if the witnesses are present it is better to examine them again, as the trial is as strictly original as if no preliminary investigation had occurred. The presiding elder decides questions of law, subject to appeal to the president of the next Annual Conference. The same rules for examining witnesses are to be observed here as in the trial of members, and the same order of argument, and the same order of voting on the specifications and charges when the case is submitted for decision. In making the decision the Conference should be alone. It is better always in Church trials to sit with closed doors, but especially should all spectators be excluded during the final canvass of the testimony, and the making up of the verdict. (See Note 23.)

In the findings, the Conference must not only determine what charges and specifications

are sustained, if any, but the grade of the offense and the result. That is, the Conference must decide whether the accused shall be expelled, deposed, suspended till the next meeting of the District or Quarterly Conference, or simply admonished. If the latter, the announcement of the vote with the record made is as effective as any added words of the presiding officer could be. The minutes of the trial, as distinct from the minutes of Conference, or so much of them as contain the recorded testimony, after being read and approved, must be signed by the president and secretary, or by a majority of the members present, not compelling any to sign who dissent.

The trials of local elders, deacons, or preachers for immorality, for persistence in improper tempers, words, or actions, for disseminating erroneous doctrines, and for dishonest failures in business, are the same in form and method, and should be conducted with all the precision that conscientious regard for justice can command.

TRIAL OF TRAVELING PREACHERS.

There are three ways of trying accused traveling preachers at the Annual Conference. The first is in the regular Conference session,

with the bishop in the chair, the secretary in his place, and the witnesses called and examined in the presence of the Conference. In such cases the whole proceeding is a part of the Conference business, and goes into the journal as such. It is necessarily a tedious process. The second method is that of appointing an elder to act as a commissioner in taking the testimony and making a record, which record is read before the Conference. This saves the time of the Conference, as the whole record is made outside of the Conference sessions. After the record is read in the Conference, the arguments and the other proceedings are the same as when the whole trial is in the Conference. The third is the method generally adopted. It is the reference of the case to a "select number" for trial.

Whatever method is adopted, the general principles to be observed are the same. The men employed as counsel must be members of some Annual Conference. They must be appointed by the Conference to conduct the prosecution, and be recognized by the Conference when selected by the accused to conduct the defense.

When a commissioner is appointed to take the testimony he is to decide upon the admis-

sibility of proffered testimony, the same as the president of the trial; but since the bishop is to preside in the trial, and is the authority in the rulings, the commissioner may consult him in cases of doubt. When the testimony is written each witness is to subscribe his own, and when it is all read in the Conference, it is still competent to admit other testimony under the ruling of the bishop.

When the Conference determines to send the case to a select number for trial there are some things to be settled by the Conference before the reference is made. After the recognition of the charges, which may or not be read, according to the nature of the accusation and the wish of the Conference, the vote must be taken expressing the judgment of the Conference as to the expediency of trying the case by the select number. This decided, the next thing is to select the triers, not less than nine nor more than fifteen. These ought to be selected by the Conference, not by the bishop. They represent the Conference, and the bishop appoints the chairman, who acts in his stead. A nominating committee may be chosen to report a list of names for the select number; and when the list is reported, the Conference must vote on their appointment.

Before this the counsel should be appointed and recognized, so as to be ready to act in the matter of challenges. When the list of names for triers is before the Conference, the accused should be called upon to challenge, if he desires to do so, or is not satisfied with the names proposed. When the select number is appointed and accepted, minute should be made of the acceptance, and no challenges allowed after the case is referred. In other words, the challenges must take place in the Conference and not in the committee. It is the duty of the secretary of the Conference to act as secretary of the trial, or to detail an assistant to do the work. No one can act as secretary of the trial who is not a secretary or assistant secretary of the Conference. If it is desirable to employ stenographers to facilitate business, it may be done by order of Conference, the stenographer to have no official relation to the case, but only to act as an amanuensis for the secretary. When the select number, chairman, and secretary are appointed, a final vote should be taken referring the charges, the testimony, and all the documents pertaining to the case to the committee as organized.

The rules of the Conference are the rules

governing the proceedings before the select number, and the form and order of the trial are precisely the same as before the Conference. In a word, the select number is the conference for all the purposes of the trial.

For the sake of grouping in convenient space the substance of what has been advanced, the following is submitted as the order of proceeding in the Conference and in the select number:

ORDER OF TRIAL.

1. The charges are read and entertained.
2. Council for the Church and defense recognized.
3. The accused enters his pleading—guilty or not guilty.
4. The testimony is given in this order: (1.) For prosecution, oral and written. (2.) For the the defense. (3.) Rebutting for prosecution, followed by rebutting for defense.
5. Arguments. First, the prosecution opens, covering the whole ground. Second, the defense follows, completing the argument on that side. Third, the prosecution closes, replying to the defense, but introducing no new matter.
6. The Conference takes the case for decision, the accused and accuser retiring.
7. The chairman calls for the votes in the order following: After reading the charges and

specifications, the first specification of the first charge is submitted to vote, "Is this specification sustained?" When the vote has been taken on all the specifications of the first charge, if any of them are sustained, the question is, "Do the specifications sustained sustain the charge?" If the vote is affirmative, the next charge is taken up and acted on in the same way. If the vote on sustaining the charge is negative, the question as to whether the specifications sustained sustain the grade of offense next below that charged; and so on till the grade of offense is determined which, in the judgment of the Conference, the sustained specifications sustain. This same order is observed in disposing of all the remaining charges. Then, after all the specifications and charges have been acted on, and the result ascertained, the final vote is taken on penalty, beginning with the highest attached to the grade of offense of which the accused is convicted, and dropping to the next, if the first fails, till the judgment of the Conference is expressed, and the finding complete.

In the trial before the select number, the first and second items set forth above have been attended to in Conference, so that the proceedings begin with the third item. When the select number reports to Conference the finding in the case, the report goes upon the

journal of the Conference without vote, and the Conference has no power to re-open the case, or to modify the action in any respect. The duty of the bishop is ministerial. He announces the result, and, if against the accused, the party is called upon to give notice of appeal, if he desires to appeal, and the notice is entered on the journal if given.

TRIAL OF A BISHOP.

The bishops are amenable to the General Conference for their conduct, and that body has the right to order the manner of their trial. This means, of course, when the trial is to take place at the General Conference. If it is to occur when the General Conference is not in session, the manner of it is already ordered in the Discipline.

If a bishop is accused of immorality when the General Conference is not in session, the preliminary investigation described in the preceding chapter must take place, and if the five ministers who have made the inquiry believe there is reasonable ground for the accusation, they, or a majority of them, are to prepare and sign the necessary charge in the case, and send a copy to the accused bishop, and another copy to one of the other bishops. The

bishop so notified is then to convene a Judicial Conference, composed of the triers of appeals from five neighboring Annual Conferences, which Judicial Conference, with a bishop as president, shall try the accused bishop, and shall have power to suspend him, or to expel him from the Church, as they may deem his offense requires.

The process is very direct, yet the guards are such that there is little danger that the accused bishop's rights will be disregarded. The whole number of triers called is thirty-five, and the accused has the right of peremptory challenge, so that the number is not reduced below twenty-one. He has, also, all the rights of counsel and defense that belong to any minister. If such a Conference should be called for, it is not likely any one bishop would undertake the responsibility of it without the counsel of his colleagues. It would, doubtless, be the occasion for a meeting of the board of bishops, and the one chosen to preside would be designated to that duty by the other bishops.

The bishops are to be called to account for the same offenses that render others liable—immorality, persistent imprudence, and disseminating doctrines contrary to our established

standards. Complaints against their administration may be forwarded to the General Conference, and be entertained and adjusted, proper notice having been given to the bishop whose administration is to be arraigned.

The trial of a bishop is the only case in which a Judicial Conference may exercise original jurisdiction. In this exceptional case the Conference itself is exceptional. It is constituted with special power, and in the exercise of its powers it is to be formal and restricted. It must proceed in the line of its special work, and make a complete record of its proceedings, including the charges, specifications, testimony, and findings, and transmit the same, with all the documents relating to the case, to the ensuing General Conference, which minutes and documents shall be used in the appeal, if there be an appeal. It thus appears that the provision for the trial of a bishop is complete. For many years it was vague, and could not have been enforced without putting the accused on trial before a body previously committed to his condemnation, for the reason that the trial committee could only have been convened after a majority of those composing it "verily believed" the accused guilty of the things alleged against him. Our entire code

of judicial proceedings has been a growth, with constant tendency to diminish the power of the ministry, and bring the laity into greater prominence and influence in all matters affecting the rights and privileges of the membership. It has also looked more and more to the guarding of the rights of the ministers, and shielding them from arbitrary action. In these respects the code has improved under the later legislation of the General Conference, and while it is not perfect, and may not be, yet, considering its necessary brevity and the wide range of topics it must include, it stands before the Church and the world a monument of wisdom, prudence, justice, and efficiency.

Chapter VI.

APPEALS.

It is a provision of the Discipline, imbedded in the Constitution of the General Conference, that every person in the communion, when accused of crime or offenses against the order and Discipline of the Church, shall be entitled to a trial before his peers, in a form suitable to the conditions of the case, and an appeal to a higher tribunal; so that, not without two distinct hearings and the judgment of two separate bodies, need any one be deprived of membership or finally subjected to any censure or disability.

The question has arisen sometimes as to whether the right of appeal could be exercised in cases where the finding of the trial resulted in a judgment or penalty of less consequence than expulsion. The wording of the rule relating to the appeal of members appears to favor the idea that only excluded

persons can appeal; but the broader principle of constitutional law, guaranteeing to all the right of appeal, has been accepted, and the right recognized in the case of ministers and members, whether excluded, suspended, or reproved, so that wherever there is a trial and a finding adverse to the accused, the right to carry the case to the body having appellate jurisdiction is not to be denied, unless it has been forfeited by the conduct of the appellant. This right is fundamental and never to be treated lightly.

A member may forfeit his right of appeal by absenting himself from the trial, and by such flagrant misconduct after the trial as would necessitate his expulsion; by repeating the things alleged against him in the former trial; by contumacious treatment of the Church and its authority; by consummating a union with another Church, or otherwise abandoning the jurisdiction whose favor is sought in the appeal.

The idea is held that whoever would avail himself of the right of appeal must conduct himself so as to be in condition to enjoy the benefit which the successful prosecution of his appeal would bring to him. He must also be so related to the Church that in the event of

restoration to membership, or the removal of the censure, his amenability for his conduct during the pendency of the appeal would be complete. No one can use the Discipline of the Church, occupying the time of those charged with its administration, without at least professing to be loyal and submissive to its authority.

APPEAL OF MEMBERS.

The lay member of the Church has his appeal to the Quarterly Conference, which is the highest authority in the circuit or station. Here he has the advantage of the judgment of all the official members of the charge, lay and ministerial, with the presidency of the presiding elder, whose decisions of questions of law are binding on the body over which he presides, and from which appeal may be taken to the president of the next ensuing Annual Conference. As a further means of securing impartiality in the appeal, provision is made that the presiding elder may cause the appeal to be tried by another Quarterly Conference than the one of the circuit or station where the appellant resides, upon being assured that prejudice exists in the place where the appeal would naturally go. This change of venue

may be made on request of either party, but of course both parties must be duly notified of the change, and the presiding elder can not remove it beyond his own district; and no member of the Quarterly Conference who was on the committee that tried the case shall be allowed to vote on the appeal. This provision is made in view of two facts—the committee may come from other charges in the district, and include members of another Quarterly Conference, to which the appeal may be referred by the presiding elder; and persons not members of the Quarterly Conference at the time of the trial may have become such by the time the appeal is heard.

The appeal of the layman must be tried like all other appeals, on the minutes or record of the first trial. Witnesses can not be called, and no new testimony can be admitted. If new testimony has become available, which the appellant deems important, and on which he depends, he may present the fact to the Quarterly Conference and ask for a new trial. The discovery of new testimony is good ground for remanding the case, but the Quarterly Conference must be satisfied that the new testimony alleged to be available does really exist, and is important. The appellant should

therefore indicate the nature or purport of the new testimony, and why it was not available in the first trial.

The appeal being properly presented to the Quarterly Conference, it is the duty of the Quarterly Conference to hear it, and not merely optional. The appellant, who has not forfeited his right, comes to that body with a grievance, which he has the right to bring, and in bringing it he has the law of the Church behind him, and the refusal to accord him a hearing on the ground that the time of the members is precious, is nothing less than flagrant injustice, and should justify the presiding elder in at once transferring the case to another Quarterly Conference within his district.

When the appeal is called the first question is on entertaining it. Pending this, nothing can be considered except the attitude of the appellant, whether he has maintained his right, and is properly before the body with his appeal. If he is so found, the appeal must be admitted. The Conference may fix upon an hour for taking up the case, make it the order of the day, and proceed with the regular business.

When the appeal is taken up for hearing,

the first thing is to recognize counsel. The next thing is to read the record containing charges, specifications, testimony and findings. This read, the arguments follow. The appellant in person, or by counsel, opens the case; all the arguments in defense of the administration or against the appeal, then follow; and after such arguments the appellant closes, replying to the arguments of the other side, and summing up the arguments for the appeal, without presenting new matter. The appellant then retires, and the accuser, if present, and the Quarterly Conference proceeds to the decision. The presiding elder submits the question, "Shall the action of the committee in this case be reversed?" If the vote is affirmative, the appeal prevails, and the action of the committee is reversed. If the vote is negative, the presiding elder submits the question, "Shall the case be remanded to the preacher-in-charge for a new trial?" If the vote is affirmative, the former trial is set aside, the charges stand as before the trial, and the appellant is in the position of an accused member. If the vote on the question of a new trial is negative, the action of the committee stands, and the appellant has exhausted his remedies.

It is scarcely necessary to explain the attitude of an appellant and the form of the action. He who was the defendant in the first trial, is now the prosecutor. He comes to overthrow the proceedings that went against him. He, therefore, takes the initiative, and proceeds aggressively. Hence he opens and closes the argument. He asks action in his behalf. He seeks relief. This can only be given by reversing the action against which he appeals, or by setting it aside for a new trial. The appellant asks the first, and if that fails he asks the second. He does not ask that the former action be affirmed. It does not need to be affirmed. If not reversed, or set aside for a new trial, it stands. A failure to interfere with it leaves it affirmed. Hence the old-fashioned way of taking the first vote on affirming the action "of the court below" was unnecessary and illogical.

APPEAL OF LOCAL PREACHERS.

The appeal of local preachers is to the Annual Conference from the District or Quarterly Conference. The action is the same whether it be elder, deacon, or preacher. In order to lay the foundation for the appeal, the person condemned must give notice in

the District or Quarterly Conference of his intention to appeal; whereupon the president shall lay the minutes of the trial before the Annual Conference, with all the testimony and findings, so that the appeal may be tried on the record.

The Annual Conference may proceed in the appeal in full session, the same as it may do in the trial of an accused member; or it may refer the case to a select number. If the latter method is adopted, the select number must be chosen and organized the same as for the trial of a traveling preacher. The number must be not less than nine nor more than fifteen, with a president appointed by the presiding bishop.

The proceedings in the Conference or in the select number are the same. The record of the charges, the findings, and the testimony must be read. Only so much of the former trial as went against the appellant comes up for review, and therefore specifications not sustained, and testimony relating thereto, need not be read. The arguments follow the reading in the same order as in the appeals of members to the Quarterly Conference, the appellant opening and closing. After the arguments comes the decision. Members of the

Conference or of the select number may discuss the issue, and re-examine the testimony if they wish. The questions voted upon should be in the form proper to an appeal. First, Shall the action of the District (or Quarterly) Conference be reversed? This failing, then, second, Shall the case be remanded for a new trial? If the action is not reversed, and the case not remanded, the former trial stands. There is no law against voting to affirm, and none requiring it. If the vote be taken and carried, it is so much surplusage; and if it be taken and lost, it does not affect the result, as the failure to reverse or to remand leaves the case as it was before the appeal was taken. The first trial stands till it is disturbed by the positive action of the Conference having appellate jurisdiction.

The appeal is determined by the majority of the Conference present and sitting, or of the select number; but it should be borne in mind that the vote is a judicial action, to go upon record, and is not open for reconsideration, especially if taken by ballot.

Preachers on trial in the traveling connection, being amenable to the Quarterly Conference—or District Conference, if there be one—for their moral conduct and standing

have the same appeal to the Annual Conference as other local preachers. The Annual Conference has jurisdiction over them in the matter of license, and in regard to their studies and work, and may discontinue them at its pleasure, but its action in this regard is not judicial, and therefore not subject to appeal. It does not put them on trial except by turning them over to the Quarterly Conference; but legal questions arising in their administration would be adjusted by the Annual Conference.

APPEAL OF TRAVELING PREACHERS.

The appeal of traveling preachers is from the Annual Conference to the Judicial Conference.

The Judicial Conference is a body constituted and organized for the express purpose of hearing and deciding the appeals of traveling ministers. It has no other function or duty. Formerly traveling ministers took their appeals to the General Conference, but when that body grew to the size it has been of late years, with such wide jurisdiction and varied duties, it came to be next to impossible to give the attention to appeals that justice required; besides being in session only once in

four years, it was a hardship for ministers put under disabilities by their Conferences to wait so long, as was often necessary, for the final adjustment. To meet this embarrassment the Judicial Conference was provided for, and given the appellate jurisdiction or power that inhered in the General Conference, with certain exceptions.

The principal exception relates to the decision of questions of law. When the General Conference heard appeals, whether in full Conference or by judicial committee, the appeal carried the whole case to that body, with all issues of fact and law, and the bishop presiding attended simply to the duties of chairman, leaving the Conference to make its own constructions of the Discipline. This practice was eminently proper, as the General Conference was the law-making power, and the ultimate authority in all legal questions. In transferring or delegating its appellate power to the Judicial Conference it wisely excepted this ultimate right to decide the meaning of its own actions. Hence the Judicial Conference does not decide questions of law, but the Discipline requires the presiding bishop to decide them, subject to appeal to the General Conference. In addition to the right of ap-

peal from the decision of the bishop, in order to secure the General Conference in its right to supervise the interpretations of law in the Judicial Conference, it is provided that the secretary of that Conference shall "transmit the records made and the papers submitted in the case, or certified copies thereof, to the secretary of the preceding General Conference, to be filed and preserved with the papers of that body;" and, furthermore, that "the General Conference shall carefully review the decisions of questions of law contained in the records and documents transmitted to it from the Judicial Conferences, and in case of serious error therein shall take such action as justice may require."

It follows from all this, that while the General Conference will not review the action of the Judicial Conference in any sense that will amount to a rehearing of the appeal, it will revise decisions of law, and, in so far as such decisions affect the action on the appeal, it provides for a rehearing of the appeal. In other words, if the "serious error" found in the decisions of law have affected the appeal injuriously to the appellant, it is competent for the General Conference, in taking "such action as justice may require," to set aside the action

of the Judicial Conference, and order another one convened to hear the appeal as it came from the Annual Conference. The bishop presiding in the subsequent Judicial Conference would follow the interpretation of law given by the General Conference, thus securing to the appellant, and to other parties interested, the wisdom of the General Conference in its own construction of the Discipline.

It will be observed that it is expressly provided that appeals shall be allowed the traveling minister in all cases of trial and conviction under ¶¶ 222-230. This includes cases of immorality, imprudence, dissensions, mal-administration, erroneous doctrine, delinquencies, and abandonment of work. It is intended to cover every thing for which a minister may be tried and suffer any adverse judgment or penalty. It relates to all members of the Annual Conference, effective, superannuate, or supernumerary, whether in the pastorate, professorships, agencies, or General Conference offices. Those filling the latter are accountable to the book committee or some special tribunal for their official action, and directly to the General Conference; but for all things relating to their faith and character and conduct as ministers, they stand related to the Annual

Conferences, and to the subject of appeals, precisely as do other traveling ministers.

The formation of the Judicial Conference is so plainly described in the Discipline that few remarks on that point are needed. The several Annual Conferences in the United States are required, at each session, to select seven elders, to be known as "Triers of Appeals." Whenever a Judicial Conference is needed, the bishop presiding at the Annual Conference from which the appeal is taken, determines the time and place for convening a Judicial Conference, and notifies the triers of appeals of three Conferences conveniently near, so as not to include the one to which the appellant belongs, to meet at the time and place designated to form a Judicial Conference, and hear such appeals as may be presented. The full number of the members of the Judicial Conference is twenty-one. It is provided that thirteen shall form a quorum, and without that number business can not proceed. The appellant has the right of peremptory challenge, yet not so as to reduce the number of triers below thirteen. He may not break the quorum, and thus force a postponement of the hearing of his appeal. The Conference is called together presumably in his

interest, and yet he must not trifle with its rights.

In determining the time and place of a Judicial Conference the bishop usually consults his colleagues at the semi-annual meeting, and if more than one appeal is pending, arrangements are made to organize a Conference to which two or more appeals may be referred, having regard to distance and the convenience of the parties. This is in the interest of the economy of time and means. The bishops in consultation usually determine the Conferences to be called, and designate one of their number to preside, selecting one, if practicable, who did not preside at any of the Annual Conferences from which the appeals come. This, however, is not law but usage. There is no law against the same bishop presiding in the Judicial Conference who presided in the Annual Conference, even if the trial was in the Conference and under his presidency.

In the conduct of appeals before the Judicial Conference a question of some practical significance arises in reference to the right or duty of the bishop presiding to pass upon the rulings of the president of the trial in the Annual Conference. It often happens that in

the progress of a trial the chairman makes decisions which go into the records, and counsel on one side or the other except to the ruling, of which note is made. As all the proceedings of the trial are of record, and the whole case is carried up in the appeal, it would seem reasonable that questions of law originating in the trial and decided by the chairman should be open for decision by the bishop presiding in the Appellate Conference. It must, however, be considered that no provision of law exists for an appeal on decisions of law from the chairman of the trial to the bishop presiding in the Annual Conference. That chairman, if he be not a bishop, is appointed by the bishop, and acts in his stead, so that his rulings have the same legal force as if made by the bishop himself. They are to be treated as the rulings of a bishop, not only in the trial but in the appeal as well. Moreover, there is no provision of the Discipline authorizing one bishop to review or pass upon the rulings of another bishop; and the rulings in the record are often the rulings of a bishop, in fact as well as in theory, and the possibility exists that the same bishop shall preside in the trial in the Annual Conference and in the appeal in the Judicial Conference. It is un-

seemly that it should be lawful for a bishop to review his own decisions, or that appeal should be made from a bishop in the Annual Conference to the same bishop in the Judicial Conference.

Beyond all this, the manner in which the final determination of questions of law has been reserved by the General Conference to itself, as shown in a preceding paragraph, indicates that only such rulings should be made as are necessary, and that all the rulings, both in the Annual and Judicial Conferences, will be "carefully reviewed" in the General Conference.

In the matter of counsel in the Appellate Conference the Discipline wisely provides that only members of an Annual Conference shall appear for the appellant, or as the representative of the Conference. The persons managing the case are to be amenable to the Church in the same relation as the appellant and the members of the Judicial Conference themselves.

The appellant, having caused the Judicial Conference to convene, must prosecute his appeal or lose his opportunity. His right to an appeal is exhausted when the case is called after due notice, and if he fail to appear the

appeal may be dismissed, not to be renewed again.

It is assumed that due notice was given, at the time of the trial in the Annual Conference, of the intention to appeal, and record made accordingly, so as to perfect the preliminaries to the appeal. This done, and the Judicial Conference regularly convened, the following is the order to be observed:

PROCEEDINGS IN JUDICIAL CONFERENCE.

1. The bishop takes the chair and directs devotional exercises.
2. The bishop, or some one selected by him, calls the roll by Conferences.
3. The Conference elects a secretary.
4. The bishop calls the appeals in the order of the dates of the Conferences from which they come.
5. Counsel for appellant and Conference recognized.
6. Submit the question, "Shall the appeal be entertained?" (Pending this question may be heard statements bearing on the question as to whether the appellant has maintained or forfeited his right to appeal—nothing on the merits of the case.)
7. When the appeal is entertained, the charge or charges must be read, and the findings of the Conference from which appeal is taken.

8. Read testimony in full, touching all points in the appeal. Testimony in the record on specifications not sustained need not be read, unless inseparable from that bearing on specifications sustained.
9. Arguments. Appellant, in person or by counsel, opens and closes, introducing no new matter in the closing speech. Counsel for the Conference make the whole argument in defense of the administration, between the opening and closing addresses of the other side. The Conference may limit the counsel as to time.
10. The parties retire, and the Conference takes the case for decision. It is competent for members of the Conference to have the testimony re-read, or any part of it that may be needed, to refresh the memory. It is also lawful for members to discuss the pending issue till all are ready to vote.
11. In making the decision no motion is necessary. The bishop will submit the questions to be voted on in proper order, particularly presenting the attitude of the appellant, whose relation to the case is that of an aggrieved party seeking redress.
12. The Conference may be consulted by the bishop as to their readiness to decide the case as a whole, or their desire to act upon it in detail, with a view to "reverse in part or affirm in part," under the provision of the Discipline of 1884.

13. If the Conference determines to act upon the appeal as a whole, the first question to be submitted to vote is, "Shall the action of the Annual Conference be reversed?" If this is decided affirmatively, the appeal is sustained, and the case is ended. If this vote results negatively, the next question is, "Shall the case be remanded for a new trial?" An affirmative vote remands the case, and the Judicial Conference is done with it. But if the vote is negative, the appeal fails, and the action of the Annual Conference stands. There is no legal necessity for a vote on the question, "Shall the action of the Conference be affirmed?" for the reason that it must stand affirmed till it is interfered with by a vote to reverse or remand. No one asks action but the appellant, and he does not ask the Judicial Conference to affirm the action of the Annual Conference, but to reverse it, or set it aside by ordering a new trial. If the things he asks fail, the case is ended.

14. If the Judicial Conference shall judge it expedient to act on the case in detail, considering the findings on the charges and specifications separately, the following is the order of procedure: (1.) The charges are read, with the specifications sustained in the trial that has been had. (2.) The first specification under the first charge is taken up, and the question is voted on, "Shall the action

of the Annual Conference, sustaining this specification, be reversed?" If it be not reversed, it stands. The remaining specifications of the charge are severally voted on in order, and on the same question of reversal, which is the highest favor the appellant asks. If any remain not reversed, the vote must be taken substantially on the question as to whether the specifications remaining unchanged sustain the charge; but the proceedings being appellate and not original, the proper form of the question is, "Shall the finding of the Conference on the charge be reversed?" If reversed, with some of the specifications not reversed, it will be competent, under the special authorization of the General Conference of 1884, to vote on the question of the grade of offense next below that in the charge, and to proceed affirmatively to determine the grade of the offense contained in the specifications that remain unchanged, and to modify the result by removing so much of the penalty as to reduce it to the grade of offense found to be sustained by the sustained specifications. Or, if the Judicial Conference judges that the ends of justice will be served thereby, it can remand the case for a new trial.

It is proper, where more than one charge has been sustained, and appealed, and must be acted upon by the Judicial Conference, that the

vote be taken on the several specifications of the first charge, and the charge itself, before acting on the second charge, treating each charge as a separate case; but if it should happen that some of the specifications under the first charge are not reversed, while the charge is reversed, the remaining charge or charges may be taken up and acted upon till all the charges are disposed of by reversing or remanding, or by allowing the action to stand. If, in the outcome, it be found that some of the charges stand, with a higher penalty than could be attached to the unreversed specifications of the reversed charge or charges, no further action on those specifications is required. The same is true if the case is remanded on some of the charges not reversed. But if all the charges are reversed, and some of the specifications sustained in the trial are not reversed, the question will recur on remanding the case on these specifications; and if this fail, then the action must be on determining what lower offense than the one charged is sustained by these specifications. This should be the last thing, as it is the most difficult and doubtful exercise of the power of a Judicial Conference, whose powers are appellate. It is something which could not be

done but for the special wording of the law allowing it to reverse in part and affirm in part. Under this law the work of the Judicial Conference will not be done till these specifications are disposed of. If they are found to sustain an offense of lower grade than that charged—and they can not sustain a higher—it is the duty of the Judicial Conference to lift so much of the penalty attached to the charge sustained in the trial, if it be divisible, as will make it agree with the lower offense found against the appellant. This action of fixing the grade of offense, and determining the appropriate penalty, so much like the work of a Conference of original jurisdiction, is permitted this Appellate Conference with a view to saving the time and expense of a new trial, with the possibility of another appeal.

APPEAL OF BISHOPS.

If a bishop is accused, and tried by a special Judicial Conference constituted for the purpose, and is found guilty of an offense against the Discipline, he has the right of an appeal to the General Conference. The manner of hearing and determining the appeal in the General Conference is not set forth in the

Discipline, and must, therefore, be supposed to be within the power of the body. It is, however, fair to presume that, in the absence of special provision previously made to the contrary, the appeal would be heard by the whole body of the General Conference, so as to be entered in its journal as of its regular proceedings.

This much is clear: The case would be heard as an appeal, and not as an original trial. The trial in the special Judicial Conference is not a preliminary proceeding, but a real trial by a body which has power to expel. An acquittal by it would bar another trial on the same charge in the General Conference. The Discipline is explicit in its declaration that "the minutes and documents only," which were used or made in the trial in the Judicial Conference, "shall be used in evidence in the trial of the appeal." This determines the character of the proceeding to be properly an appeal, and it must be so conducted that its conclusion will embody the judgment of the General Conference itself.

APPENDIX.

NOTES.

1. Deacons.—In the economy of Methodism the deacon is a minister ordained in part, or invested, by a preliminary ordination, with some of the functions of the ministerial office. He can baptize, solemnize marriages, and assist the elder in the administration of the Lord's Supper. The diaconate is not a distinct official grade of permanent character, but an intermediate position between the licentiate and the eldership. Hence no one is ordained deacon with the understanding that he is permanently settled in that office; and no one is ordained elder who is not first a deacon.

2. Elders.—The elder is a minister of the Gospel, entitled by his ordination to exercise all the functions of the ministerial office. The word elder, in New Testament usage, is equivalent to presbyter, and, in addition to that of the ripeness of years and experience, it conveys the idea of oversight or supervision. It has no connection with the word "priest" in origin, meaning, or Scriptural use, and implies nothing in the line of priestly functions.

3. Bishops.—The bishops in the Methodist Episcopal Church are general superintendents. In New Testament usage the word bishop is the equivalent of presbyter, the same as elder, and, in Methodist economy, it is given as a title to the incumbents of the office of general superintendent, and also to such superintendents of foreign missions as have been empowered to ordain ministers in their own missions. The latter are known as missionary bishops, their jurisdiction being local or restricted. The office of general superintendent was created by the eldership in general convention assembled, such being the character of the General Conferences prior to 1812, at which time the first delegated General Conference convened under the Constitution with limited powers. All the special powers of the episcopal office come to it by delegation from the eldership.

4. Missionary Bishops.—These officers, being authorized to superintend the Church within the limits assigned them, and to ordain ministers within their jurisdiction, are truly bishops. They exercise episcopal functions, each in his sphere, and under the limitations of the Discipline. Their office is an adjunct of the general superintendency; but they are not general superintendents. The Constitution of the General Conference does not permit a general superintendent to be restricted to a mission or Conference or continent. Neither does it allow the general superintendents to be excluded from any mission or Conference or continent by the presence of a missionary

bishop or any other functionary known to the Church. Wherever the general superintendent is, his authority is co-ordinate with that of any other bishop, and limited only by rules of comity.

5. Trustees.—"When trustees are elected by the Quarterly Conference shall they enter upon their duties immediately after election, or shall they wait, as do the stewards, for the beginning of the ensuing Conference year?" The Discipline provides that trustees shall hold their offices till their successors are "elected." It does not make their term of office begin and end with the Conference year; and there is no reason growing out of the nature of their duties, as is the case with the stewards, why their terms should quadrate with the Conference year. If there is a vacancy, and one is elected to fill it, he should enter at once upon his duties; if the incumbent is re-elected, he continues right along in office; and if one is displaced by the election of another, it is becoming, and perhaps most agreeable, that he give place to his successor without delay. The Quarterly Conference, which has control, might have a regulation determining this question for itself.

6. Pew Rents.—In the division of duties between the trustees and stewards it has been shown that the finances relating to Church property are under the control of the trustees, and those relating to the support of the preachers are under the control of the stewards. In the event the funds

for the support of the preachers, as well as for current expenses, are raised largely by the renting of the pews, the question arises, "Who shall rent the pews and control the funds, the trustees or the stewards?" If the Quarterly Conference approves such a plan of finance, and directs that the pews be rented, it is the duty of the trustees to carry out the plan, and to pay over to the stewards, or to their order, so much of the money as may be due to the preachers on the plan adopted by the Quarterly Conference. The trustees, as officers of the Church, have no relation whatever to the support of the preachers or to the duty of paying them. As members of the Quarterly Conference they have, individually, their voice in the matter of the support of the preachers as well as of the plan of finances, but not as trustees outside of the Quarterly Conference. The preachers look only to the stewards for their support, and keep their accounts only with them.

7. Imprudence in Ministers.—In case a minister indulges in improper words or tempers, and is duly reproved and counseled by his senior in office, so that while the original offense was not actionable without the preliminary labor, it becomes actionable by repetition after the preliminary labor, is it lawful for the presiding elder to call such minister before a committee, and proceed against him for persistent imprudence, as if charged with an offense of higher grade? It is plainly lawful. Persistent imprudence may so impair the usefulness of a preacher that it becomes

necessary to terminate his connection with the charge, which can only be done by the presiding elder by having him suspended, or by appointing him elsewhere, and the latter might extend rather than arrest the evil. It is, therefore, plainly provided that "if he be not cured"—that is, after the preliminary admonition and counsel—the presiding elder may proceed under ¶ 222, § 1, which relates to the calling of a committee to hear complaints against traveling ministers in the interval between the sessions of the Annual Conference. It is not true, therefore, that only for immorality or heretical teachings traveling ministers may be called before a committee and suspended between the Conference sessions. Persistent imprudence becomes actionable.

8. MAY PRESIDING ELDERS RULE OUT CHARGES?—Yes, at the proper time. When a bill is first presented to a presiding elder, before he entertains it, or takes any official action in regard to the investigation, if he finds in it specifications that do not amount to an offense, or that would not sustain the charge under which they are brought, it is his right and duty to decline entertaining them, which is equivalent to ruling them out. He must be satisfied that the charge is sufficient in form and substance to justify proceedings, before he takes any step towards notifying the accused or calling the committee. When the bill has been entertained, and a copy sent to the accused, and the committee called, it is too late for the presiding elder to rule out charges or specifications. The

accused has the right to be heard on all that has been brought against him, and the right to the judgment of the committee on all it has been summoned to consider. When the case has gone so far it should go through to a formal decision, unless the accuser withdraws the charges. The business of the presiding elder is to preside and see that the investigation goes forward properly, and according to the Discipline. It belongs to the committee to decide whether the specifications and charges are sustained or not, and to acquit or suspend as they judge the evidence requires.

9. Amending the Bill.—When the committee convenes, and the bill is taken up for consideration, the committee may decide that matters contained in the specifications do not come under their jurisdiction, or will not constitute an offense against the Discipline, if sustained, and on that ground may throw them out. If amendments suggested by counsel on either side will render the issue to be tried plainer or more direct, or in anywise tend to facilitate proceedings without involving new issues, or calling the accused to defend against accusations of which he had not been notified, the bill may be so amended. Amendments amounting to new charges or new issues are not admissible.

10. Cases Referred to the Presiding Elder.—When the Annual Conference refers a bill of charges to a presiding elder for trial, the exact bill, as referred, must be the basis of the investi-

gation. It must not be modified. But when the Conference refers *a case* to the presiding elder, that officer is at liberty to deal with it precisely as if it had originated in his own administration, and had not been before the Annual Conference in any form. He may, at the time of entertaining the charge, rule out such as are not actionable, and direct the revision of the bill, so as to bring it into proper shape for trial. The committee called, all the proceedings must conform to the Disciplinary requirements in a preliminary investigation. The fact that the case is referred, and the investigation ordered, by the Annual Conference does not change the nature of the proceedings or give to them the character of a trial.

11. Questions of Jurisdiction. — After charges have been entertained by the Annual Conference and a "select number," properly organized for the trial of the case, may the plea of non-jurisdiction be raised and decided by the select number, and the case be given up on that ground? All questions of jurisdiction, and all pleas in bar of proceedings, ought to be presented in the Conference before the "select number" is organized. After the preliminaries are settled, and the case referred, it is too late to spring questions of jurisdiction, insufficient notice, lack of previous admonition, or any thing of the kind. All these are past when the case goes to the select number, and the merits of the case alone can be heard.

12. Notice of Appeals.—The proper time for a person to give notice of an Appeal is when the

decision or judgment is announced from which he appeals. This, however, should be considered, that the Quarterly, District, or Annual Conference is in session on other business, and does not dissolve immediately, so that the condemned person, tried before such a body, can have a few hours in which to decide upon his course, even if he is not ready to do it at the moment the result of the trial is announced; but the member, tried before a committee, has not that advantage. The committee dissolves at once. It is therefore reasonable and just that the preacher-in-charge allow the member a little time to deliberate, say one week, and hold the records in such shape that a notice of appeal given within that time shall be accepted and entered as a valid notice. In cases of trial by the Conferences, the notice should be given, and entered on the journal, before the final adjournment. If the person condemned was not present, and did not purposely absent himself, and wishes to appeal, making an unavoidable absence a part of his ground of appeal, or wishing to show that his absence was not willful, he may give notice of his intention to appeal within three months after being officially informed of the result of the trial. In all cases the question of the sufficiency of the notice of appeal must be decided by the Conference to which the appeal is taken.

13. Taking Depositions.—When notice has been given an accused party that the deposition of a witness will be taken before the preacher-in-charge of the circuit or station where the witness

resides, and the accused objects to receiving the testimony of said witness, "who must decide the question raised as to the competency of the witness; the preacher who is to take the deposition, or the president of the trial?" The preacher who takes the deposition should make note of the objection of the accused, and then proceed to take the deposition in due form, and the president of the trial must decide upon the admissibility of the testimony when the deposition is offered. If the accused desires to object to the competency of the witness, he should do it when the deposition is taken, and have the objection noted in the record.

14. Improperly Expelled.—If a person has been expelled improperly, and the Annual Conference so decides in considering a question of maladministration, the decision sets aside the act of expulsion, but does not dispose of the charges. He is placed where he was before the expulsion took place, and is liable to arraignment and trial, the same as if he had not been expelled. The proceedings which were set aside can not bar other proceedings.

15. Improperly Received.—If a pastor admits a person to membership without due form, the person so admitted can not be dismissed informally. If one has obtained membership by fraud or misrepresentation, he may be expelled on proof of such fraud or misrepresentation, the same as for acts of immorality committed while in membership. When one has been expelled, and without confession or contrition goes elsewhere and obtains admittance

to membership, such membership is not valid but fraudulent, and on proof thereof he may be expelled. If having obtained membership in this way he also obtains a certificate, and brings it to the pastor of the Church where he had been previously expelled, the said pastor is not obliged to receive it.

16. Cases of Arbitration.—Our rule of Church Discipline respecting the arbitration of accounts does not apply where one of the parties is a firm, or a Board of Trustees, acting under a legal act of incorporation. The reason is, that the Board, as such, could not be expelled from the Church, though it should refuse to arbitrate, and should bring suit; and as the Board, in its corporate capacity, could not be held responsible under the rule, it would be unjust to hold the other party responsible under it. And a member of our Church is not censurable for refusing to submit to arbitration a pecuniary matter arising between himself and a firm or corporation, although requested, advised, and urged to do so by the preacher in charge. If a member complains to the presiding elder against a traveling preacher, it would be proper for the presiding elder to recommend an arbitration. If a traveling preacher complains to another pastor against one of his members, it is proper for that pastor to recommend an arbitration. If an arbitration is held, and the member is dissatisfied, he may apply to the Quarterly Conference for a second arbitration. In no case is the second arbitration provided for,

and it can only be had by consent, as a measure of peaceful adjustment.

17. Charges of Slander.—1. Charges of slander or defamation must be signed either by the person alleged to have been slandered, or by his accredited representative. 2. If, under a charge of lying, specifications are found which involve slander or defamation, it is not necessary, in order to prove lying, that the charge be signed by the person thus impliedly slandered; nevertheless, in such cases testimony to prove the specifications involving slander should be excluded, or admitted with the utmost caution. 3. If a charge of slander has been ruled out in the Conference because not properly signed, and is immediately thereafter signed by the person alleged to have been slandered, and if the charge thus newly signed is entertained by the Conference, and referred to the same select number, the trial may proceed.

18. About Certificates.—1. When a person takes a certificate of membership in the Church, and fails to deposit it elsewhere, but holds it till after a year has expired, and does not have it renewed, the certificate loses its validity; but his membership remains in the Church from which the certificate was issued. 2. A member who has been absent for a year or more, and whose name has been reported to the Quarterly Conference as removed without letter, may, upon giving satisfactory reasons for his absence to the pastor, receive a certificate; and if he demand a certificate or a trial, the pastor is bound to give him a trial

if he can not give him a certificate. No one can be deprived of membership in the Church without a trial, except by a voluntary withdrawal. 3. When a member has been expelled from the Church, and has thereafter gained admission into the Church elsewhere without confession, contrition, and satisfactory reformation, as required by the Discipline, his membership is void, and any certificate of such membership should not be received. 4. A member of the Methodist Episcopal Church has a right to remove his membership to any charge at his option, provided the charge is not too distant from his residence to allow him to attend to his duties as required by the Discipline; and *provided*, further, that his standing in the charge where he resides is fair and unimpeached, and that he asks his certificate for the express purpose of uniting with another charge, and not to hold his membership under cover of his certificate.

19. SUNDAY-SCHOOL RESIGNATIONS.—1. When the superintendent or other Sunday-school officer hands a written resignation of his office to the secretary of the Sunday-school Board, and the same is read at the next meeting of the Board, the said meeting has the right to act upon said resignation, either by accepting or declining to accept it; and the pastor has no right to declare the office vacant before the resignation has been accepted. 2. When a teacher in a Sunday-school has been duly elected and confirmed as superintendent, and serves in that office for one or two years, or resigns during his term, yet without

leaving the school, he does not fall back into the list of teachers, so as to retain his membership in the Sunday-school Board, without being again nominated and elected as teacher.

20. Unacceptable Preachers.—The rule for locating unacceptable preachers without their consent was so altered at the General Conference of 1892 that it now requires the year's notice, as before, and a formal trial, with the right of appeal to the Judicial Conference. It was originally intended to apply only to unacceptable preachers in the effective ranks; to such as were not old or broken enough to be superannuated, and not sick enough to become supernumeraries, and not useful enough to continue in the work; but by subsequent action it was applied to supernumeraries, and lost its significance.

21. Adequate Notice.—The answer to the question, "What is adequate notice?" must necessarily be very general. It is not possible to give a rule that will apply to all times and places. It must be understood, however, that members of an Annual Conference are expected to be ready to meet anything that comes against them at the Conference session. Where the case is complicated, requiring time, and witnesses from a distance, it is fair and necessary that the accused be notified of coming charges, and furnished with a copy of the same in time to enable him to secure needed counsel and testimony; but the final decision as to the sufficiency of the notice must be made by the Conference in each particular case.

It is a question of fact, to be decided by the Conference, and not of law, to be decided by the bishop.

22. Cases Referred to Presiding Elder.—When an Annual Conference refers definite charges to a presiding elder for investigation, only the charges referred, without addition or diminution, are to be investigated; but when a case is referred, and specific charges have not been entertained, the whole question of complaint is open for consideration. In that event, the presiding elder may examine the charges and specifications, and rule out such as are not actionable, before he cites the accused to trial; but after calling a Committee to consider charges, and placing a copy in the hands of the accused, his right to rule out any item, or to change the bill of charges, is ended. After that the Committee must pass judgment on the several items.

23. Trial of Local Preachers.—The new provision for the trial of local preachers by a select number appointed by the District Conference, ¶ 239, is subject to the same limitations that prevail in the trial of a traveling preacher by a select number of an Annual Conference. The charges must be entertained by the District Conference, and all the preliminary questions of jurisdiction, notification, and recognition of counsel, must be determined by the Conference before the case is referred; and then, following the analogy of proceedings in the Annual Conference, the select number must close its proceedings before the District Conference adjourns.

24. Rebaptisms.—The Church has never sanctioned rebaptisms. It forbade them, till recently, by a foot-note in the Discipline; but the General Conference of 1896 passed an order removing that foot-note, evidently intending to make it lawful for our ministers, in extreme and doubtful cases, to administer the rite where applicants were uncertain as to their baptism, and conscientiously believed it their duty to be baptized. It can not be that the Church has changed its ground on this subject, or purposely provided to invalidate its own administration by rebaptizing those once dedicated to God in this holy sacrament at our own altars.

25. Evangelists.—The provision for appointing evangelists is new, and will be better understood after larger experience is acquired. Plainly, its purpose is to exclude from our pulpits irregular and irresponsible persons, whether of our Church or of other Churches. None but regular ministers, duly authorized, can be recognized by our pastors as evangelists. But this does not prevent pastors from assisting one another in revivals and special services as heretofore; nor does it interfere with ministerial courtesies proper to be shown to pastors of other denominations. Regularly appointed evangelists should be assigned to Quarterly Conference relations, preferably to the charges where their families reside.

26. "Errors in Administration."—The last General Conference made a slight addition to the Discipline with regard to bringing errors of ad-

ministration to the notice of the Annual Conference, in cases "not connected with judicial proceedings," by making the paragraph read, "presented *in writing* to the Annual Conference *for its judgment thereon*," thus authorizing a written statement of grievances from any member of the Church who may feel injured by the pastor's administration. This is a recognition of the right of petition, and may be of significant service in many instances; but it does not necessitate a change in the text of our comment, only that the words italicised above be read into the quotation.

27. Election to Orders.—Probationers in an Annual Conference may not be admitted to full connection till they shall have passed a satisfactory examination on the entire course of study for the first two years; nor may deacons in full connection be elected elders till they shall have passed a satisfactory examination in the entire four years' course of study. A preacher on trial, having passed the prescribed course of study, may be elected deacon without being admitted into full connection if the Conference judge it expedient. The practice of admitting to full connection and conditioning the candidate on studies not brought up, is not allowable. Special provision is made for preachers coming out of our theological schools, ¶ 165, Sec. 2; also for those stationed in remote places, ¶ 165, Sec. 4.

28. Unordained Preachers.—The new rule authorizing unordained pastors to solemnize marriages, is not to be interpreted as conferring this

right on all unordained preachers. It is a special privilege granted to those who have entered the Conference on trial, and have been regularly appointed to the charge of Circuits or Stations. The general order of the Church is the same on this point that it has always been. This exception in the case of pastors who are on probation can only apply where the law of the State permits it. No one should officiate under this special permission without first satisfying himself that the State law clearly allows it. If the pastor thus authorized should cease to be a pastor before ordination, the right to solemnize marriages under this rule would also cease.

29. CONFERENCE CLASSES.—Since this section was written the usage has been modified, to some extent, in the direction of permitting examinations to advance more rapidly, but the law has not been altered so as to require any change in the text. There is no distinction made now, as formerly, between "deacons of the first class" and "deacons of the second class." The entries in the General Minutes are made according to the progress of the person in the course of study. Those who have been admitted into full membership and ordained deacons are set down as being in the studies of the third year, and not as deacons of the first class. In fact, the class-standing of all undergraduates is determined by their place in the course of study, and has no relation to the matter of their ordination or to the years of their service.

30. Deaconesses.—The law of the Church touching the office and work of Deaconesses was somewhat enlarged by the action of the General Conference of 1900, but not so as to seriously modify any usage that had obtained under the legislation of previous General Conferences. The chief authority in the matter is the Conference Board. The General Board, consisting of the Board of Bishops, is authorized and required to take the oversight of the work in a general way, so that its action is necessary to the establishment of Homes, Hospitals, Orphanages, Old People's Homes, and other charitable or benevolent institutions; but it is not to project or take the initiative in any such movements, acting only on the recommendation of the Annual Conferences. It is also to be the final authority in deciding all questions of difference arising in the administration of the deaconess work. This is its important function. It becomes the high court of arbitration, and from its decisions no appeal has been provided. The District Superintendent, who is one of the bishops, becomes an adviser and helper in the affairs of the deaconesses, but has no particular executive function except that his approval is required in the matter of transferring deaconesses from one field of labor to another. He is, also, and especially, the medium of communication between the deaconesses and the General Board. He must be prepared to make annual reports to the Board of Bishops covering the state of the work and the actual condition of the various in-

stitutions under the care of the deaconesses within his district.

31. Electing Trustees.—It has been lawful for many years to elect trustees by the vote of the members where the law of the State either requires or allows that method. The new legislation, ¶ 301, introduces no new principle into our economy, but gives direction and some practical suggestions to those who wish to give the members of the Church a direct voice in this business. The adoption of this mode of election is still optional, except where the law of the State requires it; but the written request of ten or more members would seem to make it the duty of the pastor to give notice of a meeting of the members who are over twenty-one years of age, and while the law does not say so, it appears reasonable that the members so convened should decide whether to elect by the meeting or by the Quarterly Conference.

FORMS.

THE following forms are submitted as indicating the requirements of the Discipline in the cases to which they refer:

Charges.

To the Preacher-in-charge of .....

The undersigned, a member of the Methodist Episcopal Church in ....., respectfully represents to you that A. B., a member of the Church under your charge, has been guilty of conduct expressly forbidden in the Word of God; and, in behalf of the Church, I submit to you the following charge of immorality:

CHARGE—*Lying.*

1. *Specification.* In saying to M., at his house, on or about the ..... day of ....., 18..., that he had paid a certain amount of money to C., which he owed, and had promised; whereas, he had not paid that or any other amount to the said C.
2. *Specification.* In saying he was not at home on the ..... day of ....., when C. was at his house, but was in the village of .....; whereas, he was not in the village of ..... on that day, but was at home, and purposely declined to see C. when he called to see him.

J. L.

METHODIST EPISCOPAL CHURCH
vs.
B. C.

It being matter of current rumor that B. C., a member of the Methodist Episcopal Church at ....., has been guilty of conduct unbecoming a Christian, and, having been admonished repeatedly by his pastor, he makes no acknowledgment, and shows no penitence, the undersigned, in behalf of the Church, presents the following charge against the said B. C., and shall proceed to an investigation of the same under the Discipline.

CHARGE—*Defaming his Brethren in the Church.*

1. *Specification.* The said B. C. has said repeatedly that G. F. has been guilty of fraud and falsehood, and specifies the following instances: (*Here insert the allegations which B. C. makes which are defamatory*).
2. *Specification.* In saying that sundry other members of the Church, to wit (*here name them*), have been in the habit of using intoxicating liquors (*here state some of his words*).

In behalf of the Methodist Episcopal Church.

J. M., *Pastor.*

P. S.—T. B., J. C., and R. P. will be called as witnesses.

To ....., Preacher-in-charge of .....

DEAR BROTHER:—B. D., a member of the Methodist Episcopal Church, under your charge, became angry, and indulged in sinful tempers and words at ....., on the ..... day of ....., 18..., and being reproved therefor by yourself as pastor, and by the undersigned as leader, made no acknowledgment of any fault therein, and has shown no sign of penitence;

therefore, I do complain to you, and charge B. D. as follows:

CHARGE—*Indulging Sinful Tempers and Words.*

1. *Specification.* The said B. D. did, on the day and month above mentioned, become angry, and used the following words (*state the words*), and has not acknowledged his fault or shown any repentance.

2. *Specification.* The said B. D., at a date subsequent to the above, did become angry, and used violent words, to wit (*insert words*), and has neither confessed his error, nor shown any humiliation or penitence.

T. L., *Class-leader.*

To ....., *Preacher-in-charge of* .....

DEAR BROTHER:—It becomes my duty to complain to you that C. F., member of my class, has neglected class-meeting for a long time, and has been visited, counseled, and advised, and yet persists in absenting himself from class-meeting, and neglects prayer-meetings, and other means of grace, particularly the Lord's-supper. I therefore bring against him the following

CHARGE—*Neglecting the Means of Grace.*

Specification. The said C. F. has not been in class-meeting for seven months; has not been in prayer-meeting for about the same length of time; and has not received the sacrament of the Lord's-supper for one year.

In behalf of the Methodist Episcopal Church.

S. N., *Class-leader.*

N. B.—There are several "forms" of charges in the Appendix to the Discipline, which will be helpful to young administrators, and others. The author,

therefore, deems it needless to multiply examples in this place.

Certificate of Membership.

This Certifies that A. B., the bearer, is an acceptable member of the ..... ***Methodist Episcopal Church*** in ....., and is affectionately commended to the fellowship of the ***Methodist Episcopal Church*** in ...., or in any other place where he may take up his residence. When admitted to another Church, his relation to this Church will cease.

NOTE.—This is not a letter of dismissal, and does not terminate the connection of the member with the Church which gives it.

Exhorter's License.

....., having been duly recommended, is hereby licensed as an ***Exhorter in the Methodist Episcopal Church,*** subject to the requirements of the Discipline.

....., *18...*

....., *Preacher-in-Charge.*

For Quarterly or District Conference.

Renewal of Exhorter's License.

The License of ..... as an ***Exhorter in the Methodist Episcopal Church,*** upon due recommendation, is hereby renewed, subject to the requirements of the Discipline.

Signed by order of the ..... Conference of the ..... District of the ..... Annual Conference, this ..... day of ....., 18...

....., *President.*

Leaders and Stewards' Meeting or Quarterly Conference to District Conference.

Recommendation for License to Preach.

We, the members of ....., of ..... Charge, ... District, being acquainted with the gifts, grace, and usefulness of ....., do recommend him as a suitable person to be licensed as a ***Local Preacher in the Methodist Episcopal Church,*** he having been examined before us in doctrine and discipline.

Done at a ..... held at ....., 18..., and signed by order and in behalf of said .....

....., *President.*

....., *Secretary.*

For Quarterly or District Conference.

Local Preacher's License.

....., after proper recommendation and examination, is hereby licensed as a ***Local Preacher in the Methodist Episcopal Church,*** and is authorized to preach the Gospel, subject to the requirements of the Discipline of said Church.

Signed by order of the ..... Conference of the ..... District of the ..... Annual Conference, held at ....., this ..... day of ....., 18...

....., *President.*

Leaders and Stewards' Meeting or Quarterly Conference to District Conference.

Recommendation for Renewal of License to Preach.

We, the members of ....., of ..... Charge, ... District, being acquainted with the gifts, grace, and usefulness of ....., do recommend that his license

as a local preacher in the Methodist Episcopal Church be renewed.

Done at a ..... held at ....., 18..., and signed by order and in behalf of said .....

....., *President.*

....., *Secretary.*

For Quarterly or District Conference.

Renewal of Local Preacher's License.

The License of ..... as a ***Local Preacher in the Methodist Episcopal Church,*** upon due recommendation, is hereby renewed.

Signed by order of the ..... Conference of the ..... District of the ..... Annual Conference, held at ....., this ..... day of ....., 18...

....., *President.*

For Quarterly or District Conference.

Recommendation for Orders.

DEAR BRETHREN:

....., after due examination in doctrine and discipline before the ..... Conference of the ..... District, is hereby recommended to the ..... Annual Conference of the Methodist Episcopal Church as a proper person to be elected to ..... Orders, according to the provisions of the Discipline, he having served four consecutive years as local preacher or deacon.

Done at the ..... Conference of the ..... District, this ..... day of ....., 18..., at .....

....., *President.*

.. .., *Secretary.*

For Quarterly or District Conference.

Recommendation for Admission to Annual Conference.

DEAR BRETHREN:

....., after due examination in doctrine and discipline before the ..... Conference of the ..... District, is hereby recommended as a suitable person to be admitted on trial in the traveling connection of the Methodist Episcopal Church.

Done at a ..... Conference of the ..... District, this ..... day of ....., 18..., at .....

....., *Presiding Elder.*

....., *Secretary.*